

Volume 35, Number 2  
Pages 81-156  
January 15, 2010

SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



ROBIN CARNAHAN  
SECRETARY OF STATE

# MISSOURI REGISTER

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The *Missouri Register* is published semi-monthly by

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ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO  
Subscription fee: \$56.00 per year

**POSTMASTER:** Send change of address notices and undelivered copies to:

**MISSOURI REGISTER**

Office of the Secretary of State

Administrative Rules Division

PO Box 1767

Jefferson City, MO 65102

The *Missouri Register* and *Code of State Regulations* (CSR) are now available on the Internet. The Register address is <http://www.sos.mo.gov/adrules/moreg/moreg.asp> and the CSR is <http://www.sos.mo.gov/adrules/csr/csr.asp>. These websites contain rulemakings and regulations as they appear in the Registers and CSR. These websites do not contain the official copies of the Registers and CSR. The official copies remain the paper copies published by the Office of the Secretary of State pursuant to sections 536.015 and 536.031, RSMo Supp. 2008. While every attempt has been made to ensure accuracy and reliability, the Registers and CSR are presented, to the greatest extent practicable as they appear in the official publications. The Administrative Rules Division may be contacted by email at [rules@sos.mo.gov](mailto:rules@sos.mo.gov).

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Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
September 1, 2009	October 1, 2009	October 31, 2009	November 30, 2009
September 15, 2009	October 15, 2009	October 31, 2009	November 30, 2009
October 1, 2009	November 2, 2009	November 30, 2009	December 30, 2009
October 15, 2009	November 16, 2009	November 30, 2009	December 30, 2009
November 2, 2009	December 1, 2009	December 31, 2009	January 30, 2010
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April 15, 2010	May 17, 2010	May 31, 2010	June 30, 2010
May 3, 2010	June 1, 2010	June 30, 2010	July 30, 2010
May 17, 2010	June 15, 2010	June 30, 2010	July 30, 2010

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 11—Taxation Regulations**

**EMERGENCY AMENDMENT**

**11 CSR 45-11.020 Deposit Account—Taxes and Fees.** The commission is amending sections (5)–(7).

*PURPOSE:* This amendment establishes the requirement for daily deposits into the operating account for taxes and fees.

*EMERGENCY STATEMENT:* This emergency amendment is necessary to preserve a compelling governmental interest by providing a method for the Missouri Gaming Commission to receive the admission taxes and adjusted gross receipts (AGR) due to the state on a daily basis rather than the current once-a-week format.

The Missouri Gaming Commission has been in budget planning meetings with the Office of Administration's Division of Budget and Planning, the Treasurer's Office, and the Department of Revenue in an effort to find ways to efficiently use the state's monies.

The Missouri Gaming Commission contacted the Missouri Gaming Association and personnel from the casino's accounting departments in an effort to assure fairness to all casinos. No opposition was expressed. The casino's funds are in non-interest-bearing accounts, so there is no loss of funds by the casinos. The casinos foresee no problems with meeting the deadline for daily transfer of funds versus the weekly transfers that are currently used.

The real value of this emergency amendment is the ability to use

the money on a daily basis. An additional benefit will be recognized in the daily transfer of funds to the state into interest-bearing accounts. Potentially, this will earn additional interest for the state of \$3.65 million dollars during the first year. This daily cash flow will benefit the Proceeds for Education Fund, and Early Childhood Development programs. Home dock funds for the cities which host a casino may also benefit from the daily funds.

Without this emergency amendment, it will cause a six (6)-month delay and a missed opportunity to have more financial resources in terms of interest and cash flow that would be beneficial to the state budget during this economically critical situation.

The daily transfer of taxes will ensure maximum cash flow of these monies and will in turn help the current financial state budget situation. The cost savings to the state is immeasurable and substantial against any cost to implement, as it maximizes cash flow of state funds, with the only cost being the daily versus weekly electronic transfer of monies. If this emergency amendment is not enacted, the current procedures will delay providing monies to the state cash flow. It is imperative to adopt these procedures so that the state will be provided the flexibility to use these funds on a daily basis.

This emergency amendment is necessary to protect public health, safety, and welfare. As a result, the Missouri Gaming Commission finds a compelling governmental interest, which requires this emergency action. A proposed amendment which covers the same material is published in this issue of the *Missouri Register*. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The Missouri Gaming Commission believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed December 2, 2009, becomes effective January 6, 2010, and expires July 4, 2010.

(5) As a condition of its license, each licensee shall establish and, after that, maintain [two (2) accounts] **an operating account** at a designated financial institution capable of handling electronic fund transfers. [the deposit accounts. These accounts shall be designated, in substance, by the following language: "Name of licensee, for the benefit of the Missouri Gaming Commission."]] The licensee must notify the commission of the financial institution where funds are deposited. No change of financial institution may be made without prior commission approval.

(6) Each Class A licensee, as a condition of licensure, shall deposit into [separate] **two (2) accounts** an amount sufficient to cover its estimated liability for the gaming tax and the admission fee imposed by section 313.820, RSMo, representing [the first week] **the average liability for the gaming tax and the admission fee for two (2) days of operation. These accounts shall be designated, in substance, by the following language: "Name of licensee, for the benefit of the Missouri Gaming Commission."**

(7) Licensees. Beginning in the first month, second day of operation, each licensee, as a condition of its license, shall deposit daily into the [deposit account] **operating account** an amount sufficient to cover the estimated tax and fee liabilities for the previous day. **The licensee then shall timely remit from the operating account to the commission the gaming tax and admissions fee for each daily period that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.**

(D) In the event that the licensee's adjusted gross receipts result in a negative tax due or if overpayment is made **and amended with the commission within the same weekly period which, for purposes of this section, means Wednesday of each week through the following Tuesday, the licensee may adjust their payment by the overpaid amount on the next gaming day's subsequent payment. In the event that the licensee's adjusted gross receipts result in a**

**negative tax due or if overpayment is made and amended in a subsequent week**, the licensee shall file a Claim for Refund or Credit Form, included herein, along with the tax return.

(E) Every Claim for Refund or Credit Form must be in writing under oath and must state the specific grounds upon which the claim is founded. *[Amended returns are required to be filed for all periods involved within the weekly period defined in 11 CSR 45-11.030.]*

**AUTHORITY:** sections 313.004 and 313.807, RSMo 2000 and sections 313.800, 313.805, 313.820, 313.822, and 313.835, RSMo Supp. 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 11—Taxation Regulations**

**EMERGENCY AMENDMENT**

**11 CSR 45-11.030 Payment—Gaming Tax.** The commission is amending sections (1), (2), and (7).

**PURPOSE:** *This amendment updates the payment procedure for gaming taxes.*

**EMERGENCY STATEMENT:** *This emergency amendment is necessary to preserve a compelling governmental interest by providing a method for the Missouri Gaming Commission to receive the admission taxes and adjusted gross receipts (AGR) due to the state on a daily basis rather than the current once-a-week format.*

*The Missouri Gaming Commission has been in budget planning meetings with the Office of Administration's Division of Budget and Planning, the Treasurer's Office, and the Department of Revenue in an effort to find ways to efficiently use the state's monies.*

*The Missouri Gaming Commission contacted the Missouri Gaming Association and personnel from the casino's accounting departments in an effort to assure fairness to all casinos. No opposition was expressed. The casino's funds are in non-interest-bearing accounts, so there is no loss of funds by the casinos. The casinos foresee no problems with meeting the deadline for daily transfer of funds versus the weekly transfers that are currently used.*

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*Without this emergency amendment, it will cause a six (6)-month delay and a missed opportunity to have more financial resources in terms of interest and cash flow that would be beneficial to the state budget during this economically critical situation.*

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*This emergency amendment is necessary to protect public health, safety, and welfare. As a result, the Missouri Gaming Commission finds a compelling governmental interest, which requires this emergency action. A proposed amendment which covers the same material is published in this issue of the **Missouri Register**. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The Missouri Gaming Commission believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed December 2, 2009, becomes effective January 6, 2010, and expires July 4, 2010.*

(1) The licensee shall timely remit from the *[deposit]* operating account to the commission the gaming tax for each *[weekly]* daily period *[which, for purposes of this section, means Wednesday of each week through the following Tuesday]* that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(2) The *[weekly]* daily remittance shall be automatically made from the licensee's *[deposit]* operating account and shall be deemed timely if credited to the deposit account designated by the commission on or before 12:00 p.m. Central Standard Time on the first day financial institutions are open for business after the close of *[the day following each weekly period]* the business day on which the estimated liabilities were established.

(7) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make *[weekly]* daily remittance of the gaming tax; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).

**AUTHORITY:** sections 313.004 and 313.807, RSMo [1994] 2000 and sections 313.805, 313.822, and 313.835, RSMo Supp. [1997] 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 11—Taxation Regulations**

**EMERGENCY AMENDMENT**

**11 CSR 45-11.050 Admission Fee.** The commission is amending section (2) and dividing a portion into section (3).

**PURPOSE:** *This amendment updates the procedure for payment of admission fees.*

**EMERGENCY STATEMENT:** *This emergency amendment is necessary to preserve a compelling governmental interest by providing a method for the Missouri Gaming Commission to receive the admission taxes and adjusted gross receipts (AGR) due to the state on a daily basis rather than the current once-a-week format.*

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(2) [An admission fee paid by the licensee to the commission shall be deposited into a separate deposit account. This deposit account shall be one separate and apart from the account established for the gaming tax.] The licensee shall timely remit from the operating account to the commission the admission fee for each daily period that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(3) Not less than once per month on a date to be selected by the commission, disbursement shall be made from this account to the home dock city or county designated by the licensee of moneys owed to home dock city or county. The remaining amount of the admission fee shall be deposited in the state treasury to the credit of the Gaming Commission Fund for the purpose of funding the administrative costs of the commission relating to excursion gambling boat operations, subject to appropriation.

**AUTHORITY:** section 313.004, RSMo 2000 and sections 313.805 and 313.820, RSMo Supp. 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Oct. 29, 2008, effective Nov. 15, 2008, expired May 13, 2009. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010,

expires July 4, 2010. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 45—Missouri Gaming Commission**  
**Chapter 11—Taxation Regulations**

**EMERGENCY AMENDMENT**

**11 CSR 45-11.070 Return and Payment—Admission Fee.** The commission is amending sections (3), (4), (7), and (9).

**PURPOSE:** This amendment updates the procedure for payment returns for the admission fees.

**EMERGENCY STATEMENT:** This emergency amendment is necessary to preserve a compelling governmental interest by providing a method for the Missouri Gaming Commission to receive the admission taxes and adjusted gross receipts (AGR) due to the state on a daily basis rather than the current once-a-week format.

The Missouri Gaming Commission has been in budget planning meetings with the Office of Administration's Division of Budget and Planning, the Treasurer's Office, and the Department of Revenue in an effort to find ways to efficiently use the state's monies.

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(3) The licensee shall timely remit from the [deposit] operating account to the commission the admission fee for each [weekly] daily



period [which for purposes of this section, means Wednesday of each week through the following Tuesday] that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(4) The [weekly] **daily** remittance shall be automatically made from the licensee's [deposit] **operating** account and shall be deemed timely if credited to the deposit account designated by the commission on or before 12:00 p.m. Central Standard Time on the first day financial institutions are open for business after the close of [the day following each weekly period] **the business day on which the estimated liabilities were established**. These deposits shall be made via an electronic funds transfer system employing an automated clearinghouse method.

(7) In the case of an underpayment of any [weekly] **daily** amount to be paid, the licensee shall be liable for interest on the delinquent amount as determined under 11 CSR 45-11.120(2) and for a penalty which shall be five percent (5%) of the amount of the underpayment.

(9) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make [weekly] **daily** remittance of the admission fee; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).

**AUTHORITY:** section[s] 313.004, *RSMo [1994] 2000 and sections 313.805[,] and 313.820, RSMo Supp. 2008*. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

## **Title 11—DEPARTMENT OF PUBLIC SAFETY**

### **Division 45—Missouri Gaming Commission**

#### **Chapter 11—Taxation Regulations**

#### **EMERGENCY AMENDMENT**

**11 CSR 45-11.130 Failure to File Return or Pay Tax or Fee.** The commission is amending section (2).

**PURPOSE:** This amendment updates the procedure for determining failure to file required returns.

**EMERGENCY STATEMENT:** This emergency amendment is necessary to preserve a compelling governmental interest by providing a method for the Missouri Gaming Commission to receive the admission taxes and adjusted gross receipts (AGR) due to the state on a daily basis rather than the current once-a-week format.

The Missouri Gaming Commission has been in budget planning meetings with the Office of Administration's Division of Budget and Planning, the Treasurer's Office, and the Department of Revenue in an effort to find ways to efficiently use the state's monies.

The Missouri Gaming Commission contacted the Missouri Gaming Association and personnel from the casino's accounting departments in an effort to assure fairness to all casinos. No opposition was expressed. The casino's funds are in non-interest-bearing accounts, so there is no loss of funds by the casinos. The casinos foresee no problems with meeting the deadline for daily transfer of funds versus the weekly transfers that are currently used.

The real value of this emergency amendment is the ability to use the money on a daily basis. An additional benefit will be recognized in the daily transfer of funds to the state into interest-bearing accounts. Potentially, this will earn additional interest for the state of

\$3.65 million dollars during the first year. This daily cash flow will benefit the Proceeds for Education Fund, and Early Childhood Development programs. Home dock funds for the cities which host a casino may also benefit from the daily funds.

Without this emergency amendment, it will cause a six (6)-month delay and a missed opportunity to have more financial resources in terms of interest and cash flow that would be beneficial to the state budget during this economically critical situation.

The daily transfer of taxes will ensure maximum cash flow of these monies and will in turn help the current financial state budget situation. The cost savings to the state is immeasurable and substantial against any cost to implement, as it maximizes cash flow of state funds, with the only cost being the daily versus weekly electronic transfer of monies. If this emergency amendment is not enacted, the current procedures will delay providing monies to the state cash flow. It is imperative to adopt these procedures so that the state will be provided the flexibility to use these funds on a daily basis.

This emergency amendment is necessary to protect public health, safety, and welfare. As a result, the Missouri Gaming Commission finds a compelling governmental interest, which requires this emergency action. A proposed amendment which covers the same material is published in this issue of the *Missouri Register*. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Missouri Gaming Commission believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed December 2, 2009, becomes effective January 6, 2010, and expires July 4, 2010.

(2) In case of failure to deposit accurate estimates of the gaming tax or admission fee on or before the date prescribed for deposit [into the deposit accounts] **to the commission** (determined with regard to any extension of time for payment), unless it is shown that the failure is due to reasonable cause and not the result of willful neglect, evasion or fraudulent intent, there shall be added to the tax or fee an amount equal to five percent (5%) of the deficiency.

**AUTHORITY:** sections 313.004[,] and 313.830, *RSMo 2000 and sections 313.800, 313.805, and 313.822, RSMo Supp. [1997] 2008*. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed Dec. 15, 1997, effective July 30, 1998. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

## **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

### **Division 2120—State Board of Embalmers and Funeral Directors**

#### **Chapter 2—General Rules**

#### **EMERGENCY RULE**

**20 CSR 2120-2.130 Final Disposition as Defined in Chapter 193**

**PURPOSE:** This emergency rule explains that the use of the term "final disposition" in Chapter 333, *RSMo*, and sections 436.400 to 436.520, *RSMo*, shall be consistent with the definition of the term in Chapter 193, *RSMo*.

**EMERGENCY STATEMENT:** During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed



and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of maintaining consistent use of the term "final disposition" in the Missouri Revised Statutes.

Adoption of this rule only through the ordinary rulemaking process would risk inconsistent use and application of the term "final disposition" which could result in violation of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, or Chapter 193, RSMo. These potential violations could harm consumers of preneed services.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) For purposes of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, final disposition shall be defined in accordance with the definition contained in section 193.015(3), RSMo.

(2) Use of the term final disposition in Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, shall be consistent with its use in Chapter 193, RSMo.

**AUTHORITY:** section 193.015, RSMo Supp. 2008 and sections 333.340, 333.011(10), 436.405, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 2—General Rules  
EMERGENCY RULE**

**20 CSR 2120-2.140 Financial Welfare Cause for Injunction**

**PURPOSE:** This emergency rule states that serious danger to an individual's financial welfare is cause for the State Board of Embalmers and Funeral Directors to seek an injunction pursuant to section 333.335.1(2), RSMo.

**EMERGENCY STATEMENT:** During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of preventing harm to the financial welfare of consumers of preneed services by including harm to financial welfare as a basis for the board seeking an injunction against persons engaging in the practices regulated by Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo.

Adoption of this rule only through the ordinary rulemaking process would risk financial harm to consumers of preneed services under Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, by allowing harmful practices to continue without being subject to being enjoined.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) For purposes of section 333.335, RSMo, the Missouri State Board of Embalmers and Funeral Directors shall be entitled to seek injunctive relief against any person from engaging in any business or practice authorized by a registration or authority, permit, or license issued under this chapter in a manner that presents a substantial probability of serious danger to the health, safety, or welfare of any resident of this state or client or customer of the licensee or registrant.

(2) For purposes of section 333.335, RSMo, serious danger to the welfare of any resident or client or customer shall include, but is not limited to, the financial welfare of the resident, client, or customer.

*AUTHORITY:* sections 333.340, 333.335, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors**

**Chapter 2—General Rules**

**EMERGENCY RULE**

**20 CSR 2120-2.150 Payment Not Determining Factor of Practice  
of Funeral Directing**

*PURPOSE:* This emergency rule explains that the receipt of payment for providing funeral services is not the determining factor in identifying the practice of funeral directing.

*EMERGENCY STATEMENT:* During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of preventing harm to consumers of preneed and funeral services by stating that payment is not the determining factor in identifying the practice of funeral directing. Without this emergency rule, those practicing pursuant to Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, could try and evade the requirements or responsibilities of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, if the consumer had not yet made payment.

*Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of funeral and preneed services under Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, by allowing evasion of the requirements contained in Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, if the consumer has not made payment for the services.*

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) In determining whether a person, pursuant to section 333.011(6), RSMo, is engaging in the practice of funeral directing pursuant to section 333.011(8), RSMo, the board shall consider all activities listed in section 333.011(8), RSMo.

(2) Receipt of payment by any person for any or all services provided pursuant to this chapter or Chapter 436, RSMo, shall not be the determining factor in determining whether the person is engaging in the practice of funeral directing.

*AUTHORITY:* sections 333.340, 333.011(8), and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors**

**Chapter 3—Preneed**

**EMERGENCY RULE**

**20 CSR 2120-3.115 Contact Information**

*PURPOSE:* This emergency rule details the requirements for preneed providers, sellers, and agents for providing the board with current contact information.

*EMERGENCY STATEMENT:* During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to

come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by requiring preneed sellers, providers, and agents to provide the board with current contact information.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of preneed services because it will preclude the board from having current contact information for preneed sellers, providers, and agents. Without current contact information, the board cannot properly regulate its licensees and registrants pursuant to Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo. This could result in consumers and the board not being able to contact licensees and registrants regarding services provided. It could also result in the board not being able to complete inspections or visits of licensees and registrants. The end result is potential harm, including financial harm, to consumers.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) Preneed providers, sellers, and agents shall keep the board notified of their current address, telephone number, facsimile number, and email address, as applicable, at all times.

(2) Preneed providers, sellers, and agents shall notify the board within thirty (30) days of any such change by submitting written notice with the new information. The written notice shall comply with the board's rules regarding written notice.

*AUTHORITY: sections 333.340, 333.320, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the Missouri Register.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**EMERGENCY RULE**

**20 CSR 2120-3.120 Display of License**

*PURPOSE: This emergency rule states that preneed sellers, providers, and preneed agents must prominently display their license or registration to practice issued by the Missouri State Board of Embalmers and Funeral Directors.*

*EMERGENCY STATEMENT: During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.*

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by requiring preneed sellers, providers, and agents to display their license or registration in their place of business.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of preneed services because it will prevent consumers or board investigators from identifying validly licensed or registered preneed providers, sellers, and agents.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) All licenses or registrations, and any and all duplicate copies thereof, issued by the Missouri State Board of Embalmers and Funeral Directors shall be prominently displayed at all times in a conspicuous location or manner easily accessible to the public for each office or place of business of the licensee or registrant.

(2) All licenses or registrations shall be available at all times for inspection by any duly authorized agent of the Missouri State Board of Embalmers and Funeral Directors.

(3) The Missouri State Board of Embalmers and Funeral Directors may cause a complaint to be filed with the Administrative Hearing Commission pursuant to section 333.330, RSMo, for failure of a licensee or registrant to display his or her license or registration as required by section 333.091, RSMo, and this regulation.

*AUTHORITY: sections 333.340, 333.330, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009.*

*Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the Missouri Register.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed  
EMERGENCY RULE**

**20 CSR 2120-3.200 Seller Obligations**

*PURPOSE:* This emergency rule clarifies the duties of the seller of a preneed contract.

*EMERGENCY STATEMENT:* During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by establishing the requirements for preneed sellers in the state of Missouri.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of preneed services because it will not clearly and fully establish the requirements for preneed sellers under the new requirements contained in Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, which became effective August 28, 2009.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) Except as otherwise provided in sections 436.400 to 436.520, RSMo, and any rules validly promulgated pursuant to those sections—

(A) The seller shall be obligated to collect and properly deposit and disburse all payments made by, or on behalf of, a purchaser of a preneed contract;

(B) A purchaser may make payments on any preneed contract by making the payment directly to the trustee, the insurance company, or the financial institution where the joint account is held, as applicable, in lieu of paying the seller; and

(C) All sellers shall designate an individual to serve as manager in charge of the seller's business. This individual shall either reside or work within the state of Missouri. The seller shall designate the manager in charge in its initial application for licensure. If the manager in charge changes, the seller shall provide written notice to the board within thirty (30) days of the change.

*AUTHORITY:* sections 333.340, 436.415, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. *Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the Missouri Register.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed  
EMERGENCY RULE**

**20 CSR 2120-3.300 Provider Includes Funeral Establishment**

*PURPOSE:* This emergency rule establishes that a provider in a preneed contract includes, but is not limited to, a funeral establishment that has agreed to undertake the obligations of a preneed contract under sections 436.400 to 436.520, RSMo.

*EMERGENCY STATEMENT:* During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints

to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by establishing that funeral establishments are also providers of preneed services.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of preneed services because it would not be clearly set out that funeral establishments are also providers and subject to the requirements for preneed providers under the revised Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, which became effective August 28, 2009.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) As defined by section 333.011(10), RSMo, the provider of services under any preneed contract pursuant to sections 436.400 to 436.520, RSMo, shall include any licensed funeral establishment that has agreed to undertake the obligations of a preneed contract pursuant to sections 436.400 to 436.520, RSMo.

(2) Any provider who is a licensed funeral establishment who has agreed to undertake the obligations of a preneed contract pursuant to sections 436.400 to 436.520, RSMo, must meet all requirements of both a licensed funeral establishment and a preneed provider pursuant to Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo.

*AUTHORITY:* sections 333.340, 333.011(10), and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**EMERGENCY RULE**

**20 CSR 2120-3.305 Funeral Director Agent Registration**

*PURPOSE:* This emergency rule establishes the reporting requirement for any funeral directors serving as preneed agents.

*EMERGENCY STATEMENT:* During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's

largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by requiring funeral directors acting as preneed seller's agents to report the sellers for whom they work to the board.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of preneed services because it would allow funeral directors acting as agents for sellers to do business outside the requirements of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, effective August 28, 2009.

As a result, the Missouri State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Missouri State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) Any funeral director acting as a preneed agent shall report the name and address of each preneed seller for whom the funeral director is authorized to sell, negotiate, or solicit preneed contracts to the board on a form prescribed by the board.

(2) Any funeral director shall also identify himself or herself as acting as a preneed agent on his or her biennial report form to the board by checking the appropriate box on the form prescribed by the board.

*AUTHORITY:* sections 333.340, 333.325.4, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**EMERGENCY RULE**

**20 CSR 2120-3.310 Change in Seller Affiliation**

**PURPOSE:** This emergency rule explains the provider's obligation for a change in seller affiliation under a preneed contract.

**EMERGENCY STATEMENT:** During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by establishing the requirements for providers and sellers of a preneed contract when there is a change in seller affiliation.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of preneed services because it would allow providers and sellers to change affiliation without giving notice to the consumer or the board which could lead to the board's inability to regulate the contract and the licensees and the consumer's inability to contact his or her seller under the contract.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) After initial application, if there is a change in seller affiliation, the provider shall provide written notice to the board, pursuant to section 436.420.3, RSMo, that the provider has authorized a new seller to designate the provider on the seller's preneed contracts. This notice shall be provided to the board within fifteen (15) days after the provider authorizes the seller to act, and the notice shall contain, at least:

- (A) Name and address of the provider;
- (B) License number of the provider;
- (C) Name and address of the seller; and
- (D) Effective date of the authorization or agreement

(2) This notice may be provided to the board electronically, but the

original signed document shall be provided to the board by mail or hand delivery.

**AUTHORITY:** sections 333.340, 333.325.4, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

### Division 2120—State Board of Embalmers and Funeral Directors

#### Chapter 3—Preneed

#### EMERGENCY RULE

#### 20 CSR 2120-3.400 Preneed Agents—Requirements of Agent's Seller

**PURPOSE:** This emergency rule explains that any licensed preneed agent in the state of Missouri must be selling preneed contracts on behalf of a seller who is licensed in the state of Missouri.

**EMERGENCY STATEMENT:** During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by requiring that all preneed agents registered to sell preneed contracts for or on behalf of a seller must be the agent of a seller who is licensed by the board to sell preneed contracts.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of preneed services because agents may otherwise be able to sell preneed contracts for unlicensed sellers.

As a result, the State Board of Embalmers and Funeral Directors



*finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.*

(1) Any preneed agent registered by the Missouri State Board of Embalmers and Funeral Directors to sell a preneed contract for or on behalf of a seller must be the agent of a seller who is licensed to sell preneed contracts by the State Board of Embalmers and Funeral Directors.

*AUTHORITY: sections 333.340, 333.011(9), 333.320, 333.325, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the Missouri Register.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**EMERGENCY RULE**

**20 CSR 2120-3.410 Preneed Agent's Seller Must be Licensed**

*PURPOSE: This emergency rule explains that any licensed preneed agent in the state of Missouri must be selling preneed contracts on behalf of a seller who is licensed in the state of Missouri.*

*EMERGENCY STATEMENT: During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.*

*The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.*

*Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by requiring that preneed agents must sell preneed on behalf of a seller who is licensed by the board.*

*Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers of services because it will not require preneed sellers and providers to obtain a license from the board or preneed agents to obtain a registration. Operation without license and registration puts consumers at risk of harm including, but not limited to, financial harm. Licensure and registration allows the board to serve its duty in protecting the public.*

*As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.*

(1) Any preneed agent registered by the Missouri State Board of Embalmers and Funeral Directors to sell a preneed contract for or on behalf of a seller must be the agent of a seller who is licensed to sell preneed contracts by the Missouri State Board of Embalmers and Funeral Directors.

*AUTHORITY: sections 333.340, 333.011(9), 333.320, 333.325, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the Missouri Register.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**EMERGENCY RULE**

**20 CSR 2120-3.505 Types of Financing; Other Financing Still  
Preneed**

*PURPOSE: This emergency rule identifies the acceptable funding mechanisms for preneed contracts.*

*EMERGENCY STATEMENT: During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.*

*The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at*



the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by identifying the types of financing allowed for preneed contracts. It also is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by stating that other types of financing may still constitute preneed for which the seller and provider will be subject to the board's regulation.

Adoption of this rule only through the ordinary rulemaking process would harm consumers by failing to clearly state the types of financing acceptable to the board for preneed services under the new requirements of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) Preneed contracts shall only be funded by:

- (A) A preneed trust as defined by section 436.405.1(8), RSMo;
- (B) An insurance policy or single premium annuity contract as defined by section 436.405.1(3), RSMo; or
- (C) A joint account as defined by section 436.405.1(4), RSMo.

(2) Preneed contracts funded by any other mechanism shall be non-compliant with the requirements of sections 436.400 to 436.520, RSMo. All non-compliant preneed contracts shall still be subject to regulation by the board under sections 436.400 to 436.520, RSMo.

**AUTHORITY:** sections 333.340, 436.405, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

### Division 2120—State Board of Embalmers and Funeral Directors

#### Chapter 3—Preneed

#### EMERGENCY RULE

#### 20 CSR 2120-3.515 Single Premium Annuity Contracts

**PURPOSE:** This emergency rule states that while only single premium annuity contracts can fund an insurance-funded preneed contract, purchasers may purchase replacement single premium annuity contracts during the contract period.

**EMERGENCY STATEMENT:** During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.

The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.

Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by establishing that only single premium annuity contracts can be used in insurance-funded preneed contracts but that single premium annuity contracts can be replaced by new single premium annuity contracts.

Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers by potentially allowing other types of annuity or insurance contracts to be used in insurance-funded preneed contracts in conflict with the revised Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo.

As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.

(1) An insurance-funded preneed contract may be funded by an insurance policy or a single premium annuity contract.

(2) An insurance-funded preneed contract may not be funded by an annuity other than a single premium annuity contract.

(3) If a purchaser funds an insurance-funded preneed contract with a single premium annuity contract, the purchaser may replace the single premium annuity contract with another single premium annuity contract at any time in the duration of the preneed contract.

(4) Any replacement single premium annuity contract must meet all the requirements of the initial annuity contract, Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, and any other requirements under state or federal law.

*AUTHORITY: sections 333.340, 436.405, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the Missouri Register.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**EMERGENCY RULE**

**20 CSR 2120-3.525 Independent Financial Advisor is Agent of  
Trustee**

*PURPOSE: This emergency rule clarifies that an independent financial advisor is an agent of the trustee in a trust-funded preneed contract.*

*EMERGENCY STATEMENT: During the First Regular Session of the 95th General Assembly, Senate Substitute for Senate Committee Substitute for Senate Bill 1 was passed. This legislation required for the first time that preneed sellers and preneed providers be licensed and for preneed agents to be registered. This legislation enhanced enforcement powers of both the board and the Office of the Attorney General. Additionally, this legislation strengthened consumer protection and preneed contracts funded through trust, insurance, and joint accounts. This legislation took effect August 28, 2009.*

*The impetus for this bill was the 2008 collapse of Missouri's largest preneed funeral plan seller, National PreArranged Services (NPS), a St. Louis-based preneed funeral plan seller. NPS sold preneed funeral plans in approximately forty-four (44) states and had estimated liabilities of one (1) billion dollars. NPS and its sister insurance companies are being liquidated by the District Court of Travis County, Texas. NPS was the largest third-party preneed funeral plan seller in the state of Missouri and was the seller of approximately seven thousand (7,000) preneed funeral plans in Missouri at the time liquidation proceedings began. The repercussions of the liquidation of NPS will be felt throughout all of Missouri for years to come. Funeral homes will receive payment of much less than NPS promised to provide for funeral services, and some Missourians will be faced with the situation of having to pay twice for a funeral because there will be no funds available through the liquidation proceedings and there may be no funeral home in Missouri obligated to provide the funeral services. The ripple effects of this liquidation will also be felt in the economies of many Missouri communities. This matter has resulted in approximately two hundred (200) complaints to the board. Multiple lawsuits have been filed against NPS, and one (1) of NPS's central figures was recently placed under federal indictment.*

*Now that this legislation has passed and was effective on August 28, 2009, this emergency rule is necessary to preserve a compelling governmental interest of protecting consumers of preneed services by establishing that independent financial advisors are the agents of trustees in trust-funded preneed contracts.*

*Adoption of this rule only through the ordinary rulemaking process would risk harm to consumers by potentially allowing independent financial advisors working with trustees in trust-funded preneed contracts to do so without regulation by the board and in conflict with the revised Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo.*

*As a result, the State Board of Embalmers and Funeral Directors finds that there is a compelling governmental interest that requires this emergency action. The scope of this emergency rule is limited to*

*the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The State Board of Embalmers and Funeral Directors believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed December 4, 2009, becomes effective December 14, 2009, and expires June 11, 2010.*

*(1) An independent financial advisor, as provided in section 436.440.6, RSMo, is an agent, as provided in section 436.440, RSMo, of the trustee.*

*AUTHORITY: sections 333.340, 436.440.6, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. A proposed rule covering this same material is published in this issue of the Missouri Register.*

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

## Title 1—OFFICE OF ADMINISTRATION Division 20—Personnel Advisory Board and Division of Personnel Chapter 4—Appeals, Investigations, Hearings and Grievances

### PROPOSED AMENDMENT

**1 CSR 20-4.010 Appeals.** The board is amending subsection (3)(B).

*PURPOSE: This amendment provides direction for appointing authorities and appellants regarding the presentation of their case at an appeal hearing. It also provides direction to the appellant making an attorney's fee request and the appointing authority making an objection to an attorney's fee request.*

(3) Appeals Must Be Submitted and Hearings Conducted Following the Procedures and Guides Provided in this Rule.

(B) Hearings Procedure. The conduct of hearings before the Personnel Advisory Board is subject to the following provisions:

1. Hearings will be held in the Office of the Personnel Advisory Board in Jefferson City, Missouri, unless a different location is specified by action of the board;

2. If no prehearing conference has been held, the board will make a determination of what questions are at issue based upon the notice of the disciplinary action and the appellant's contentions in the appeal prior to the taking of testimony. The hearing shall be confined to and come within the scope of law and facts that the board has determined to be at issue. The board may exclude evidence which is purely cumulative;

3. The person who imposed the discipline is to attend the hearing. If that person is not the appointing authority, it must be the subordinate to whom authority has been delegated. The person who imposed the discipline does not have to attend the hearing if:

A. The appellant has waived his or her attendance;

B. The parties agree to present his or her testimony by other means such as stipulation, affidavit, or testimony over the telephone or if either party wishes to present the testimony by deposition; or

C. He or she is unable to attend the hearing and the absence of his or her testimony would not unduly prejudice the appellant;

4. If the person who imposed the discipline is unavailable to provide his or her testimony for the hearing and the board determines that not having this testimony unduly prejudices the appellant, then the board may disapprove the appellant's discipline;

5. When the appointing authority is required to appear, he or she is not required to stay for the entire hearing. Rather, the appointing authority must only appear so that the appellant can ask him or her questions;

6. The person conducting the hearing will read a statement citing the appropriate sections of the merit system law applicable to appeals;

7. The person conducting the hearing will read the charges of the appointing authority and the contentions of the appellant. By agreement, these documents may be inserted in the record without reading before commencing the taking of testimony;

8. All witnesses will be sworn or affirmed. When possible, witnesses will stand to be sworn or affirmed;

9. The Personnel Advisory Board, on request of either party or on its own motion, may order that the witnesses be separated so as to preclude any witness, other than the parties and their attorneys, from hearing the testimony of other witnesses. When requested by the appellant, only one (1) person in addition to counsel shall remain in the room to represent the appointing authority;

10. The appointing authority will *[be required to present his/her case first. Experience has shown this method gives the board a clearer and quicker picture of the issues. This is not a shift of the burden of proof, but is only the burden of going ahead with the proof]* **present his/her case first in appeals brought under section 36.390.5, RSMo, or in an appeal which is a combination of sections 36.390.5 and 105.055, RSMo. The appellant will present his/her case first in appeals brought only under section 105.055, RSMo, or by a regular employee from a non-merit agency that has adopted the provisions for appeals provided in section 36.390.5, RSMo, or a non-merit agency that has neither adopted the provisions for appeals provided in section 36.390.5, RSMo, or adopted substantially similar dismissal procedures as provided for in section 36.390.5, RSMo;**

11. The Personnel Advisory Board may take notice of its rules, the class specifications, official records of the Personnel Division, and the pay plan without the necessity of an offer in evidence;

12. The Personnel Advisory Board may fix the total time to be allowed for oral argument;

13. At the hearing, the entire proceedings will be recorded. After the board announces its findings of fact, conclusions of law, and

decision and order, or at an earlier time if the board determines that the interest of efficient administration would be served, a copy of the recording will be made available to either party. The board will not transcribe the recording to written form. The cost of a transcription will be borne by the requesting party. The transcription may be performed by any commercial business or agency selected by the requesting party. The board will forward directly to the selected business or agency a copy of the recording;

14. No rehearing, which includes any post-hearing motion other than a Nunc Pro Tunc, Request for Attorney's Fees, or Motion for Back Pay, shall be granted from a final decision of the Personnel Advisory Board. Should such a post-hearing motion be filed, it shall be deemed denied by the board and no ruling from the board is necessary; however, at any time prior to issuance of the decision, the board may require the production of additional documents and records, the presentation of additional testimony after prior notification to both parties, or both;

15. When the board issues an order dismissing an appeal or its findings of fact, conclusions of law, and decision, that order is a final decision on the merits and may be appealed as provided in Chapter 536, RSMo. A motion for attorney's fees, if any, is due to the board within thirty (30) days of its dismissing an appeal or its findings of fact, conclusions of law, and decision. The filing of a petition for judicial review or the fact that back pay has not been determined does not stay the thirty (30)-day requirement for filing the motion for attorney's fees with the board.

**A. A motion for attorney's fees must be in writing and filed with the board and served on the appointing authority. The motion for attorney's fees must contain the following:**

(I) A statement that the appellant meets one (1) of the two (2) definitions of "party" set out in Chapter 536, RSMo, including attaching an affidavit regarding the net worth of the appellant;

(II) An allegation that the appointing authority's position was not substantially justified and an explanation supporting that allegation. The fact that the appointing authority lost the appeal to the board does not support a presumption that the dismissal of the appellant was not substantially justified;

(III) The amounts of fees and expenses sought. This statement must be supported with an itemized statement from the attorney and expert witnesses (if any) setting out the actual time expended on the case, including the time spent on different issues in the case. Simply stating "research four (4) hours" is not sufficiently detailed; what was researched must be stated; and

(IV) If the hourly rate requested is more than the statutory rate of seventy-five dollars (\$75), the requesting party must set out what special circumstances justify an award above the statutory rate;

**B. Once a timely request for attorney's fees has been filed, the appointing authority must file a written response within thirty (30) days if the appointing authority has any objections to the request, including whether anything in the itemized statement is not sufficiently detailed or the amount of time spent was not reasonable. The appointing authority is not required to file a written response if the appointing authority has no objections to the request, the parties settle the case, or the parties agree to submit the fee's dispute to the board by stipulation; and**

**C. If the appointing authority has filed a written response setting out his or her objections to the request for attorney's fees, either party may request a hearing on any factual dispute. The board's hearings officer will decide whether a hearing is appropriate;**

16. An appeal set for hearing may be continued by the Personnel Advisory Board for cause deemed sufficient or by consent of both parties to the appeal. However, a continuance will not be granted except for compelling cause or to serve the ends of justice. If an appellant requests and is granted a continuance, the Personnel Advisory Board, in its discretion, may deny the appellant any com-

pensation for that portion of time lost by reason of the continuance made at the request if the appellant's appeal is finally sustained. If an appeal scheduled for hearing is not reached, it shall be reset and given precedence over any subsequent appeal;

17. The finding of the board will be announced in writing subsequent to the hearing. Parties will be notified by letter sent by certified mail. The finding will be made as provided in section 36.390(5), RSMo; and

18. As appropriate and where no specific rule governs the issue, the Personnel Advisory Board will utilize the rules of the civil procedure for guidance.

*AUTHORITY: sections 36.060 and 36.070, RSMo 2000. Original rule filed July 9, 1947, effective July 19, 1947. For intervening history, please consult the Code of State Regulations. Amended: Filed Dec. 14, 2009.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Director of Personnel, Office of Administration, PO Box 388, Jefferson City, MO 65102. To be considered, comments must be received by the date of the public hearing. A public hearing is scheduled for 10:00 A.M., March 9, 2010, in Room 500 of the Harry S Truman State Office Building, 301 W. High Street, Jefferson City, Missouri.

## **Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 10—Licensee's Responsibilities**

### **PROPOSED AMENDMENT**

**11 CSR 45-10.040 Prohibition and Reporting of Certain Transactions.** The commission is amending subsection (8)(B).

*PURPOSE: This amendment amends the definition of a financial institution.*

(8) The following definitions apply to the terms used in 11 CSR 45-10.040:

(B) Financial institution: Any bank, savings institution or trust company organized and supervised under the laws or any state or the laws of the United States, or other entity specifically approved in writing by the commission;

*AUTHORITY: sections 313.004, 313.807, and 313.812, RSMo 2000 and sections 313.800 and 313.805, RSMo Supp. [2007] 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed Dec. 2, 2009.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost any private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for February 17, 2010, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 11—Taxation Regulations**

**PROPOSED AMENDMENT**

**11 CSR 45-11.020 Deposit Account—Taxes and Fees.** The commission is amending sections (5)–(7).

**PURPOSE:** This amendment establishes the requirement of an operating account for taxes and fees.

(5) As a condition of its license, each licensee shall establish and, after that, maintain *[two (2) accounts]* **an operating account** at a designated financial institution capable of handling electronic fund transfers. *[, the deposit accounts. These accounts shall be designated, in substance, by the following language: "Name of licensee, for the benefit of the Missouri Gaming Commission."]* The licensee must notify the commission of the financial institution where funds are deposited. No change of financial institution may be made without prior commission approval.

(6) Each Class *[A]* **B** licensee, as a condition of licensure, shall deposit into *[separate]* **two (2) accounts** an amount sufficient to cover its estimated liability for the gaming tax and the admission fee imposed by section 313.820, RSMo, representing *[the first week]* **the average liability for the gaming tax and the admission fee for two (2) days of operation. These accounts shall be designated, in substance, by the following language: "Name of licensee, for the benefit of the Missouri Gaming Commission."**

(7) Licensees. Beginning in the first month, second day of operation, each licensee, as a condition of its license, shall deposit daily into the *[deposit account]* **operating account** an amount sufficient to cover the estimated tax and fee liabilities for the previous day. **The licensee then shall timely remit from the operating account to the commission the gaming tax and admissions fee for each daily period that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.**

(D) In the event that the licensee's adjusted gross receipts result in a negative tax due or if overpayment is made **and amended with the commission within the same weekly period which, for purposes of this section, means Wednesday of each week through the following Tuesday,** the licensee may adjust their payment by the overpaid amount on the next gaming day's subsequent payment. **In the event that the licensee's adjusted gross receipts result in a negative tax due or if overpayment is made and amended in a subsequent week,** the licensee shall file a Claim for Refund or Credit Form, included herein, along with the tax return.

(E) Every Claim for Refund or Credit Form must be in writing under oath and must state the specific grounds upon which the claim is founded. *[Amended returns are required to be filed for all periods involved within the weekly period defined in 11 CSR 45-11.030.]*

**AUTHORITY:** sections 313.004 and 313.807, RSMo 2000 and sections 313.800, 313.805, 313.820, 313.822, and 313.835, RSMo

*Supp. 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. Amended: Filed Dec. 2, 2009.*

**PUBLIC COST:** This proposed amendment will cost the Missouri Gaming Commission an additional seven hundred eighty dollars (\$780) each year per casino for the daily wire transfers.

**PRIVATE COST:** This proposed amendment will cost each casino approximately five dollars to twenty-five dollars (\$5–\$25) per wire transfer. The difference between the weekly and daily transfers is seven hundred eighty dollars to three thousand nine hundred dollars (\$780–\$3,900) annually.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for February 17, 2010, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title: 11—Department of Public Safety  
Division Title: 45—Missouri Gaming Commission  
Chapter Title: 11—Taxation Regulations**

<b>Rule Number and Name:</b>	<b>11 CSR 45-11.020 Deposit Account—Taxes and Fees</b>
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
<b>Missouri Gaming Commission</b>	<b>\$780 per casino (currently licensed number is 12)</b>

**III. WORKSHEET**

The cost of one (1) wire transfer to the state account is \$5. Currently, the annual wire transfer cost per casino to the state account is approximately \$520. That is \$10 for two wires for 52 weeks. Under the proposed change, one (1) wire daily for five (5) business banking days for 52 weeks, the cost would be approximately \$1,300 per casino. This is an additional \$780 annually for each casino.

Currently there are 12 licensed casinos.

The cost savings to the state is immeasurable and substantial against any cost to implement, as it maximizes cash flow of state funds, with the only cost being the daily versus weekly electronic transfer of monies.

**IV. ASSUMPTIONS**

The cost of receiving a wire is contracted every 3 or 4 years with the awarded bank. Therefore, the cost of receiving wires can change with each contract negotiation.

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title: 11—Department of Public Safety  
Division Title: 45—Missouri Gaming Commission  
Chapter Title: 11—Taxation Regulations**

<b>Rule Number and Title:</b>	<b>11 CSR 45-11.020 Deposit Account—Taxes and Fees</b>
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
<b>12</b>	<b>Licensed casinos</b>	<b>\$780 - \$3,900 per casino</b>

**III. WORKSHEET**

**Currently the casinos pay approximately \$5–\$25 per wire transfer. Two (2) wires for 52 weeks would be \$520 to \$2,600 annually per casino. With the proposed, the cost would be \$1,300 to \$6,500 per casino. That is a difference of \$780 to \$3,900 annually per casino.**

**Currently there are 12 licensed casinos.**

**IV. ASSUMPTIONS**

Contracts are negotiated by the casinos with their respective banks. The numbers used above are based on the average amounts charged by various banks for wire transfers. Renegotiated contracts can change amounts charged for wire transfers.



**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 11—Taxation Regulations**

**PROPOSED AMENDMENT**

**11 CSR 45-11.030 Payment—Gaming Tax.** The commission is amending sections (1), (2), and (7).

*PURPOSE:* This amendment updates the payment procedure for gaming taxes.

(1) The licensee shall timely remit from the *[deposit]* operating account to the commission the gaming tax for each *[weekly]* daily period *[which, for purposes of this section, means Wednesday of each week through the following Tuesday]* that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(2) The *[weekly]* daily remittance shall be automatically made from the licensee's *[deposit]* operating account and shall be deemed timely if credited to the deposit account designated by the commission on or before 12:00 p.m. Central Standard Time on the first day financial institutions are open for business after the close of *[the day following each weekly period]* the business day on which the estimated liabilities were established.

(7) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make *[weekly]* daily remittance of the gaming tax; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).

*AUTHORITY:* sections 313.004 and 313.807, RSMo [1994] 2000 and sections 313.805, 313.822, and 313.835, RSMo Supp. [1997] 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. Amended: Filed Dec. 2, 2009.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for February 17, 2010, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 11—Taxation Regulations**

**PROPOSED AMENDMENT**

**11 CSR 45-11.050 Admission Fee.** The commission is amending section (2) and dividing a portion into section (3).

*PURPOSE:* This amendment updates the procedure for payment of admission fees.

(2) *[An admission fee paid by the licensee to the commission shall be deposited into a separate deposit account. This deposit account shall be one separate and apart from the account established for the gaming tax.]* The licensee shall timely remit from the operating account to the commission the admission fee for each daily period that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(3) Not less than once per month on a date to be selected by the commission, disbursement shall be made from this account to the home dock city or county designated by the licensee of moneys owed to home dock city or county. The remaining amount of the admission fee shall be deposited in the state treasury to the credit of the Gaming Commission Fund for the purpose of funding the administrative costs of the commission relating to excursion gambling boat operations, subject to appropriation.

*AUTHORITY:* section 313.004, RSMo 2000 and sections 313.805 and 313.820, RSMo Supp. 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Emergency amendment filed Oct. 29, 2008, effective Nov. 15, 2008, expired May 13, 2009. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. Amended: Filed Dec. 2, 2009.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for February 17, 2010, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 11—Taxation Regulations**

**PROPOSED AMENDMENT**

**11 CSR 45-11.070 Return and Payment—Admission Fee.** The commission is amending sections (3), (4), (7), and (9).

*PURPOSE:* This amendment updates the procedure for payment returns for the admission fees.

(3) The licensee shall timely remit from the *[deposit]* operating account to the commission the admission fee for each *[weekly]* daily period *[which for purposes of this section, means Wednesday of each week through the following Tuesday]* that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(4) The *[weekly]* **daily** remittance shall be automatically made from the licensee's *[deposit]* **operating** account and shall be deemed timely if credited to the deposit account designated by the commission on or before 12:00 p.m. Central Standard Time on the first day financial institutions are open for business after the close of *[the day following each weekly period]* **the business day on which the estimated liabilities were established**. These deposits shall be made via an electronic funds transfer system employing an automated clearinghouse method.

(7) In the case of an underpayment of any *[weekly]* **daily** amount to be paid, the licensee shall be liable for interest on the delinquent amount as determined under 11 CSR 45-11.120(2) and for a penalty which shall be five percent (5%) of the amount of the underpayment.

(9) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make *[weekly]* **daily** remittance of the admission fee; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).

**AUTHORITY:** section[s] 313.004, RSMo [1994] 2000 and sections 313.805[,] and 313.820, RSMo Supp. 2008. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. Amended: Filed Dec. 2, 2009.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for February 17, 2010, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

## **Title 11—DEPARTMENT OF PUBLIC SAFETY**

### **Division 45—Missouri Gaming Commission**

#### **Chapter 11—Taxation Regulations**

#### **PROPOSED AMENDMENT**

**11 CSR 45-11.130 Failure to File Return or Pay Tax or Fee.** The commission is amending section (2).

**PURPOSE:** This amendment updates the procedure for determining failure to file required returns.

(2) In case of failure to deposit accurate estimates of the gaming tax or admission fee on or before the date prescribed for deposit *[into the deposit accounts]* **to the commission** (determined with regard to any extension of time for payment), unless it is shown that the failure is due to reasonable cause and not the result of willful neglect, evasion or fraudulent intent, there shall be added to the tax or fee an amount equal to five percent (5%) of the deficiency.

**AUTHORITY:** sections 313.004[,] and 313.830, RSMo 2000 and sections 313.800, 313.805, and 313.822, RSMo Supp. [1997] 2008.

Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed Dec. 15, 1997, effective July 30, 1998. Emergency amendment filed Dec. 2, 2009, effective Jan. 6, 2010, expires July 4, 2010. Amended: Filed Dec. 2, 2009.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for February 17, 2010, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

## **Title 16—RETIREMENT SYSTEMS**

### **Division 20—Missouri Local Government Employees' Retirement System (LAGERS)**

#### **Chapter 2—Administrative Rules**

#### **PROPOSED RESCISSION**

**16 CSR 20-2.080 Workers' Compensation Service Credit.** This rule provided clarification regarding conditions and procedures for granting credited service for periods of absence from employment resulting from a temporary duty-related disability.

**PURPOSE:** This rule is being rescinded and replaced with a new rule to clarify these matters more accurately and appropriately due to changes in laws.

**AUTHORITY:** sections 70.605.21 and 70.640, RSMo 1986. Original rule filed Oct. 6, 1983, effective Jan. 13, 1984. Rescinded and readopted: Filed Jan. 7, 1988, effective April 1, 1988. Rescinded: Filed Dec. 10, 2009.

**PUBLIC COST:** This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Any interested person or entity may submit written comments in support of or in opposition to the proposed rescission. Comments should be directed to the Missouri Local Government Employees Retirement System (LAGERS), ATTN: Robert Franson, Chief Counsel, PO Box 1665, Jefferson City, MO 65102-1665. To be considered, comments must be received within thirty (30) days of publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 16—RETIREMENT SYSTEMS**

### **Division 20—Missouri Local Government Employees' Retirement System (LAGERS)**

#### **Chapter 2—Administrative Rules**

#### **PROPOSED RULE**

**16 CSR 20-2.080 Determination of Credited Service for Periods of Absence**

*PURPOSE: This rule clarifies conditions and procedures for granting credited service for periods of absence from employment resulting from military leave, workers' compensation leave, and educational leave.*

(1) In the event the member is on military leave, workers' compensation leave, or educational leave, the member may receive credited service for the period of the absence under the following conditions:

(A) The absence from employment due to the leave, of the type specified in this rule, must extend for one (1) full day or more during the calendar month being considered for credited service; and

(B) The member or member's agent makes application with the board for such credited service.

(2) Member and employer contributions shall be suspended for any month in which a member received credited service pursuant to section (1) of this rule.

(3) Any month of credited service granted pursuant to this rule, pertaining to worker's compensation leave or educational leave, shall not be considered for purposes of determining final average salary.

(4) Any month of credited service granted pursuant to this rule, pertaining to military leave, shall be considered for purposes of determining final average salary in accordance with The Uniformed Services Employment and Re-Employment Rights Act of 1994 (USERRA).

*AUTHORITY: section 70.605.21, RSMo Supp. 2008 and section 70.640, RSMo 2000. Original rule filed Oct. 6, 1983, effective Jan. 13, 1984. Rescinded and readopted: Filed Jan. 7, 1988, effective April 1, 1988. Rescinded and readopted: Filed Dec. 10, 2009.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Any interested person or entity may submit written comments in support of or in opposition to the proposed rule. Comments should be directed to the Missouri Local Government Employees Retirement System (LAGERS), ATTN: Robert Franson, Chief Counsel, PO Box 1665, Jefferson City, MO 65102-1665. To be considered, comments must be received within thirty (30) days of publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 2—General Rules**

**PROPOSED RULE**

**20 CSR 2120-2.130 Final Disposition as Defined in Chapter 193**

*PURPOSE: This rule explains that the use of the term "final disposition" in Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, shall be consistent with the definition of the term in Chapter 193, RSMo.*

(1) For purposes of Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, final disposition shall be defined in accordance with the definition contained in section 193.015(3), RSMo.

(2) Use of the term final disposition in Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, shall be consistent with its use in Chapter 193, RSMo.

*AUTHORITY: section 193.015, RSMo Supp. 2008 and sections 333.340, 333.011(10), 436.405, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 2—General Rules**

**PROPOSED RULE**

**20 CSR 2120-2.140 Financial Welfare Cause for Injunction**

*PURPOSE: This rule states that serious danger to an individual's financial welfare is cause for the State Board of Embalmers and Funeral Directors to seek an injunction pursuant to section 333.335.1(2), RSMo.*

(1) For purposes of section 333.335, RSMo, the Missouri State Board of Embalmers and Funeral Directors shall be entitled to seek injunctive relief against any person from engaging in any business or practice authorized by a registration or authority, permit, or license issued under this chapter in a manner that presents a substantial probability of serious danger to the health, safety, or welfare of any resident of this state or client or customer of the licensee or registrant.

(2) For purposes of section 333.335, RSMo, serious danger to the welfare of any resident or client or customer shall include, but is not limited to, the financial welfare of the resident, client, or customer.

*AUTHORITY: sections 333.340, 333.335, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 2—General Rules**

**PROPOSED RULE**

**20 CSR 2120-2.150 Payment Not Determining Factor of Practice of Funeral Directing**

**PURPOSE:** This rule explains that the receipt of payment for providing funeral services is not the determining factor in identifying the practice of funeral directing.

(1) In determining whether a person, pursuant to section 333.011(6), RSMo, is engaging in the practice of funeral directing pursuant to section 333.011(8), RSMo, the board shall consider all activities listed in section 333.011(8), RSMo.

(2) Receipt of payment by any person for any or all services provided pursuant to this chapter or Chapter 436, RSMo, shall not be the determining factor in determining whether the person is engaging in the practice of funeral directing.

**AUTHORITY:** sections 333.340, 333.011(8), and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.115 Contact Information**

**PURPOSE:** This rule details the requirements for preneed providers, sellers, and agents for providing the board with current contact information.

(1) Preneed providers, sellers, and agents shall keep the board notified of their current address, telephone number, facsimile number, and email address, as applicable, at all times.

(2) Preneed providers, sellers, and agents shall notify the board within thirty (30) days of any such change by submitting written notice with the new information. The written notice shall comply with the board's rules regarding written notice.

**AUTHORITY:** sections 333.340, 333.320, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

**PUBLIC COST:** This proposed rule will cost state agencies or political subdivisions approximately eighty-seven dollars and ninety-six cents (\$87.96) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

**PRIVATE COST:** This proposed rule will cost private entities approximately two dollars and fifty cents (\$2.50) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**PUBLIC FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**

**Division 2120 - State Board of Embalmers and Funeral Directors**

**Chapter 3 - Preneed**

**Proposed Rule - 20 CSR 2120-3.115 Contact Information**

**Prepared September 16, 2009 by the Division of Professional Registration**

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance
State Board of Embalmers and Funeral Directors	\$87.96
	<b>Total Annual Cost of Compliance for the Life of the Rule</b>
	<b>\$87.96</b>

**III. WORKSHEET**

The Licensure Technician II receives the form and updates the licensee records.

**Personal Service Dollars**

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER UPDATE	COST PER CHANGE OF INFORMATION	NUMBER OF UPDATES	TOTAL COST
Licensure Tech II	\$29,520	\$43,911	\$21.11	\$0.35	5 Minutes	\$1.76	50	87.96
<b>Total Annual Personal Service Costs for the Life of the Rule</b>								<b>\$87.96</b>

**IV. ASSUMPTION**

1. Employee's salaries were calculated using the annual salary multiplied by 48.75% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing the update. The total cost was based on the cost per update multiplied by the estimated number of changes in contact information the board receives on an annual basis.
2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**PRIVATE FISCAL NOTE****I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2120 - State Board of Embalmers and Funeral Directors****Chapter 3 - Preneed****Proposed Rule - 20 CSR 2120-3.115 Contact Information****Prepared September 16, 2009 by the Division of Professional Registration****II. SUMMARY OF FISCAL IMPACT**

<b>Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:</b>	<b>Classification by type of the business entities which would likely be affected:</b>	<b>Estimated cost of compliance with the amendment by affected entities:</b>
50	Preneed Sellers, Providers and Agents (Postage @ 0.44)	\$2.50
	<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>	<b>\$2.50</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. The estimated number of licensees is based on the fiscal note submitted by the division for SB1 (2009).
3. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.120 Display of License**

*PURPOSE:* This rule states that preneed sellers, providers, and preneed agents must prominently display their license or registration to practice issued by the Missouri State Board of Embalmers and Funeral Directors.

(1) All licenses or registrations, and any and all duplicate copies thereof, issued by the Missouri State Board of Embalmers and Funeral Directors shall be prominently displayed at all times in a conspicuous location or manner easily accessible to the public for each office or place of business of the licensee or registrant.

(2) All licenses or registrations shall be available at all times for inspection by any duly authorized agent of the Missouri State Board of Embalmers and Funeral Directors.

(3) The Missouri State Board of Embalmers and Funeral Directors may cause a complaint to be filed with the Administrative Hearing Commission pursuant to section 333.330, RSMo, for failure of a licensee or registrant to display his or her license or registration as required by section 333.091, RSMo, and this regulation.

*AUTHORITY:* sections 333.340, 333.330, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.200 Seller Obligations**

*PURPOSE:* This rule clarifies the duties of the seller of a preneed contract.

(1) Except as otherwise provided in sections 436.400 to 436.520, RSMo, and any rules validly promulgated pursuant to those sections—

(A) The seller shall be obligated to collect and properly deposit and disburse all payments made by, or on behalf of, a purchaser of a preneed contract;

(B) A purchaser may make payments on any preneed contract by making the payment directly to the trustee, the insurance company, or the financial institution where the joint account is held, as applicable, in lieu of paying the seller; and

(C) All sellers shall designate an individual to serve as manager in charge of the seller's business. This individual shall either reside or work within the state of Missouri. The seller shall designate the manager in charge in its initial application for licensure. If the manager in charge changes, the seller shall provide written notice to the board within thirty (30) days of the change.

*AUTHORITY:* sections 333.340, 436.415, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed: Dec. 4, 2009.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.300 Provider Includes Funeral Establishment**

*PURPOSE:* This rule establishes that a provider in a preneed contract includes, but is not limited to, a funeral establishment that has agreed to undertake the obligations of a preneed contract under sections 436.400 to 436.520, RSMo.

(1) As defined by section 333.011(10), RSMo, the provider of services under any preneed contract pursuant to sections 436.400 to 436.520, RSMo, shall include any licensed funeral establishment that has agreed to undertake the obligations of a preneed contract pursuant to sections 436.400 to 436.520, RSMo.

(2) Any provider who is a licensed funeral establishment who has agreed to undertake the obligations of a preneed contract pursuant to sections 436.400 to 436.520, RSMo, must meet all requirements of both a licensed funeral establishment and a preneed provider pursuant to Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo.

*AUTHORITY:* sections 333.011(10), 333.340, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.



**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed  
PROPOSED RULE**

**20 CSR 2120-3.305 Funeral Director Agent Registration**

**PURPOSE:** This rule establishes the reporting requirement for any funeral directors serving as preneed agents.

(1) Any funeral director acting as a preneed agent shall report the name and address of each preneed seller for whom the funeral director is authorized to sell, negotiate, or solicit preneed contracts to the board on a form prescribed by the board.

(2) Any funeral director shall also identify himself or herself as acting as a preneed agent on his or her biennial report form to the board by checking the appropriate box on the form prescribed by the board.

**AUTHORITY:** sections 333.325.4, 333.340, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed  
PROPOSED RULE**

**20 CSR 2120-3.310 Change in Seller Affiliation**

**PURPOSE:** This rule explains the provider's obligation for a change in seller affiliation under a preneed contract.

(1) After initial application, if there is a change in seller affiliation, the provider shall provide written notice to the board, pursuant to section 436.420.3, RSMo, that the provider has authorized a new seller to designate the provider on the seller's preneed contracts. This notice shall be provided to the board within fifteen (15) days after the provider authorizes the seller to act, and the notice shall contain, at least:

- (A) Name and address of the provider;
- (B) License number of the provider;
- (C) Name and address of the seller; and
- (D) Effective date of the authorization or agreement.

(2) This notice may be provided to the board electronically, but the original signed document shall be provided to the board by mail or hand delivery.

**AUTHORITY:** sections 333.325.4, 333.340, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will cost private entities approximately three hundred six dollars (\$306) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**PRIVATE FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**

**Division 2120 - State Board of Embalmers and Funeral Directors**

**Chapter 3 - Preneed**

**Proposed Rule - 20 CSR 2120-3.310 - Change in Seller Affiliation**

**Prepared December 1, 2009 by the Division of Professional Registration**

**II. SUMMARY OF FISCAL IMPACT**

<b>Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:</b>	<b>Classification by type of the business entities which would likely be affected:</b>	<b>Estimated cost of compliance with the rule by affected entities:</b>
612	Preneed Providers (Printing and Postage - \$0.50)	\$306.00
<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>		<b>\$306.00</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. In order for the preneed seller to immediately begin designating the provider in the preneed contract, the form must be provided to the board office within 15 days of the change of affiliation. The form can be sent electronically; however, a document containing the original signature must be sent to the board office. Therefore, preneed providers will incur printing and postage costs.
2. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.400 Preneed Agents—Requirements of Agent's Seller**

*PURPOSE:* This rule explains that any licensed preneed agent in the state of Missouri must be selling preneed contracts on behalf of a seller who is licensed in the state of Missouri.

(1) Any preneed agent registered by the Missouri State Board of Embalmers and Funeral Directors to sell a preneed contract for or on behalf of a seller must be the agent of a seller who is licensed to sell preneed contracts by the State Board of Embalmers and Funeral Directors.

*AUTHORITY:* sections 333.011(9), 333.320, 333.325, 333.340, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.410 Preneed Agent's Seller Must Be Licensed**

*PURPOSE:* This rule explains that any licensed preneed agent in the State of Missouri must be selling preneed contracts on behalf of a seller who is licensed in the state of Missouri.

(1) Any preneed agent registered by the Missouri State Board of Embalmers and Funeral Directors to sell a preneed contract for or on behalf of a seller must be the agent of a seller who is licensed to sell preneed contracts by the Missouri State Board of Embalmers and Funeral Directors.

*AUTHORITY:* sections 333.011(9), 333.320, 333.325, 333.340, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.505 Types of Financing; Other Financing Still Preneed**

*PURPOSE:* This rule identifies the acceptable funding mechanisms for preneed contracts.

(1) Preneed contracts shall only be funded by:

- (A) A preneed trust as defined by section 436.405.1(8), RSMo;
- (B) An insurance policy or single premium annuity contract as defined by section 436.405.1(3), RSMo; or
- (C) A joint account as defined by section 436.405.1(4), RSMo.

(2) Preneed contracts funded by any other mechanism shall be non-compliant with the requirements of sections 436.400 to 436.520, RSMo. All non-compliant preneed contracts shall still be subject to regulation by the board under sections 436.400 to 436.520, RSMo.

*AUTHORITY:* sections 333.340, 436.405, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed**

**PROPOSED RULE**

**20 CSR 2120-3.515 Single Premium Annuity Contracts**

*PURPOSE:* This rule states that while only single premium annuity contracts can fund an insurance-funded preneed contract, purchasers may purchase replacement single premium annuity contracts during the contract period.

(1) An insurance-funded preneed contract may be funded by an insurance policy or a single premium annuity contract.

(2) An insurance-funded preneed contract may not be funded by an annuity other than a single premium annuity contract.

(3) If a purchaser funds an insurance-funded preneed contract with a single premium annuity contract, the purchaser may replace the single premium annuity contract with another single premium annuity contract at any time in the duration of the preneed contract.

(4) Any replacement single premium annuity contract must meet all the requirements of the initial annuity contract, Chapter 333, RSMo, and sections 436.400 to 436.520, RSMo, and any other requirements under state or federal law.

*AUTHORITY:* sections 333.340, 436.405, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Embalmers and Funeral Directors, PO Box 423, Jefferson City, MO 65102, by facsimile at 573-751-0813, or via email at [embalm@pr.mo.gov](mailto:embalm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2120—State Board of Embalmers and Funeral  
Directors  
Chapter 3—Preneed  
PROPOSED RULE**

**20 CSR 2120-3.525 Independent Financial Advisor is Agent of Trustee**

*PURPOSE:* This rule clarifies that an independent financial advisor is an agent of the trustee in a trust-funded preneed contract.

(1) An independent financial advisor, as provided in section 436.440.6, RSMo, is an agent, as provided in section 436.440, RSMo, of the trustee.

*AUTHORITY:* sections 333.340, 436.440.6, and 436.520, as amended by Senate Bill 1, 95th General Assembly, First Regular Session 2009. Emergency rule filed Dec. 4, 2009, effective Dec. 14, 2009, expires June 11, 2010. Original rule filed Dec. 4, 2009.

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 4—Wildlife Code: General Provisions**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-4.135 Transportation is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2364). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

**3 CSR 10-5.422 Youth Firearms Antlerless Deer Hunting Permit  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2364–2365). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-6.410 Fishing Methods is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2365). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 6—Wildlife Code: Sport Fishing: Seasons,  
Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-6.550 Other Fish is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2365). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 8—Wildlife Code: Trapping: Seasons, Methods**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-8.515 Furbearers: Trapping Seasons is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2365–2366). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife:  
Privileges, Permits, Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.110** General Prohibition; Applications **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2366–2367). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife:  
Privileges, Permits, Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.353** Privileges of Class I and Class II Wildlife Breeders **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2367). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife:  
Privileges, Permits, Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.425** Wildlife Collector's Permit **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2367–2368). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife:  
Privileges, Permits, Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.645** Licensed Trout Fishing Area Permit: Privileges, Requirements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2368). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-10.725** Commercial Fishing: Seasons, Methods **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2368). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-10.726** Reciprocal Privileges: Commercial Fishing; Commercial Waters **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2368–2369). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-10.727** Record Keeping and Reporting Required:  
Commercial Fishermen **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2369). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-10.767** Taxidermy; Tanning; Permit, Privileges,  
Requirements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2369–2370). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

**3 CSR 10-10.780** Commercial Musseling Permit **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2370). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

**3 CSR 10-10.781** Commercial Musseling Helper Permit  
**is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2370). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

**3 CSR 10-10.782** Commercial Musseling: Seasons, Methods  
**is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2370). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

**3 CSR 10-10.783** Mussel Dealer's Permit **is rescinded**.



A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2370–2371). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

**3 CSR 10-10.784 Mussel Dealers: Reports, Requirements  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2371). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
Seasons, Methods, Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

**3 CSR 10-10.787 Reports Required: Commercial Musselers  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2371). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.130 Vehicles, Bicycles, Equestrian Use is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2371–2372). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.155 Decoys and Blinds is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2372–2373). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.180 Hunting, General Provisions and Seasons  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2373–2374). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.200 Fishing, General Provisions and Seasons  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2374–2375). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.205 Fishing, Methods and Hours is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2375–2376). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.210 Fishing, Daily and Possession Limits  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2376–2377). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.215 Fishing, Length Limits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2377–2378). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.110 Use of Boats and Motors is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2378). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.125 Hunting and Trapping is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2378–2379). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.130 Fishing, General Provisions and Seasons  
is amended.**

A notice of proposed rulemaking containing the text of the proposed

amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2379). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.135 Fishing, Methods is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2379–2380). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.140 Fishing, Daily and Possession Limits  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2380). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.145 Fishing, Length Limits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 2, 2009 (34 MoReg 2381). No changes have been made in the text of

the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2010**.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR AND  
INDUSTRIAL RELATIONS  
Division 10—Division of Employment Security  
Chapter 3—Unemployment Insurance**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Employment Security under section 288.220, RSMo 2000, the division adopts a rule as follows:

**8 CSR 10-3.140 Reemployment Trade Adjustment Assistance  
Program is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2145). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 20—Clean Water Commission  
Chapter 4—Grants**

**ORDER OF RULEMAKING**

By the authority vested in the Clean Water Commission under section 644.026, RSMo 2000, the Clean Water Commission amends a rule as follows:

**10 CSR 20-4.040 State Revolving Fund General Assistance  
Regulation is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2009 (34 MoReg 1398–1408). No changes have been made in the text of the proposed amendment, so it has not been reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES  
Division 30—Division of Regulation and Licensure  
Chapter 70—Lead Abatement and Assessment  
Licensing, Training Accreditation**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Health and Senior Services under sections 701.311, 701.317, and 701.337, RSMo Supp. 2008, the department adopts a rule as follows:

**19 CSR 30-70.650 Administrative Penalties is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 17, 2009 (34

MoReg 1729-1737). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2070—State Board of Chiropractic Examiners  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under sections 331.010, 331.030.5 and .8, 331.050.1, and 331.100.2, RSMo Supp. 2008, the board amends a rule as follows:

**20 CSR 2070-2.031 Meridian Therapy/Acupressure/Acupuncture is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2154-2158). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2070—State Board of Chiropractic Examiners  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under sections 331.050 and 331.100.2, RSMo Supp. 2008, the board amends a rule as follows:

**20 CSR 2070-2.080 Biennial License Renewal is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2159-2163). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2070—State Board of Chiropractic Examiners  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under section 331.050 and 331.100.2, RSMo Supp. 2008, the board amends a rule as follows:

**20 CSR 2070-2.081 Postgraduate Education is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2164-2167). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2070—State Board of Chiropractic Examiners  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under sections 43.543 and 331.100.2, RSMo Supp. 2008 and section 331.070, RSMo 2000, the board amends a rule as follows:

**20 CSR 2070-2.090 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2168). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2070—State Board of Chiropractic Examiners  
Chapter 4—Chiropractic Insurance Consultant**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under sections 331.060 and 376.423, RSMo 2000 and section 331.100.2, RSMo Supp. 2008, the board rescinds a rule as follows:

**20 CSR 2070-4.010 Chiropractic Insurance Consultant is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2168). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2070—State Board of Chiropractic Examiners  
Chapter 4—Chiropractic Insurance Consultant**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under sections 331.060 and 376.423, RSMo 2000 and sections 331.050 and 331.100.2, RSMo Supp. 2008, the board adopts a rule as follows:

**20 CSR 2070-4.010 Chiropractic Insurance Consultant is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2168–2173). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2070—State Board of Chiropractic Examiners  
Chapter 4—Chiropractic Insurance Consultant**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under section 331.100.2, RSMo Supp. 2008, the board rescinds a rule as follows:

**20 CSR 2070-4.020 Application for Certification of Insurance  
Consultant is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2174). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2070—State Board of Chiropractic Examiners  
Chapter 4—Chiropractic Insurance Consultant**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Chiropractic Examiners under sections 331.060 and 376.423, RSMo 2000 and sections 331.050 and 331.100.2, RSMo Supp. 2008, the board rescinds a rule as follows:

**20 CSR 2070-4.030 Renewal and Postgraduate Education  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2174). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2145—Missouri Board of Geologist Registration  
Chapter 2—Licensure Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Geologist Registration under section 256.462.3, RSMo 2000, the board amends a rule as follows:

**20 CSR 2145-2.030 Post-Baccalaureate Experience in Geology  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2174–2175). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2145—Missouri Board of Geologist Registration  
Chapter 2—Licensure Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Geologist Registration under section 256.462.3, RSMo 2000, the board amends a rule as follows:

**20 CSR 2145-2.040 Examination is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2175). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2150—State Board of Registration for the  
Healing Arts  
Chapter 2—Licensing of Physicians and Surgeons**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.031, 334.040, 334.125, and 334.035, RSMo 2000, the board amends a rule as follows:

**20 CSR 2150-2.100 Licensing of International Medical  
Graduates—Reciprocity is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2175). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2150—State Board of Registration for the  
Healing Arts  
Chapter 2—Licensing of Physicians and Surgeons**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.112, RSMo 2000, the board amends a rule as follows:

**20 CSR 2150-2.155 Limited License is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2175–2178). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2150—State Board of Registration for the  
Healing Arts  
Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125 and 334.507, RSMo 2000, the board amends a rule as follows:

**20 CSR 2150-3.203 Acceptable Continuing Education  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2179). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2150—State Board of Registration for the  
Healing Arts  
Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 345.030, RSMo Supp. 2008 and 345.051, RSMo 2000, the board amends a rule as follows:

**20 CSR 2150-4.053 Acceptable Continuing Education  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2179–2180). No changes have been made to the

text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2197—Board of Therapeutic Massage  
Chapter 2—Massage Therapist Licensure Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Therapeutic Massage under sections 324.245 and 324.265, RSMo Supp. 2008, the board amends a rule as follows:

**20 CSR 2197-2.030 Provisional License is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2180). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2197—Board of Therapeutic Massage  
Chapter 4—Apprenticeship**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Therapeutic Massage under section 324.240, RSMo 2000 and section 324.245, RSMo Supp. 2008, the board rescinds a rule as follows:

**20 CSR 2197-4.010 Certified Mentor is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2180). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2197—Board of Therapeutic Massage  
Chapter 4—Apprenticeship**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Therapeutic Massage under sections 324.240 and 324.245, RSMo Supp. 2008, the board adopts a rule as follows:

**20 CSR 2197-4.010 Certified Mentor is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2180–2184). No changes have been made to the text of the

proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2197—Board of Therapeutic Massage  
Chapter 4—Apprenticeship**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Therapeutic Massage under sections 324.240 and 324.245, RSMo Supp. 2008, the board adopts a rule as follows:

**20 CSR 2197-4.030** Apprenticeship Training Program **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2185–2189). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2197—Board of Therapeutic Massage  
Chapter 4—Apprenticeship**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Therapeutic Massage under sections 324.240 and 324.245, RSMo Supp. 2008, the board adopts a rule as follows:

**20 CSR 2197-4.040** Apprenticeship Training Documentation **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2190–2191). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2200—State Board of Nursing  
Chapter 4—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036(2) and (7), RSMo Supp. 2008, and sections 335.046 and 335.051, RSMo 2000, the board amends a rule as follows:

**20 CSR 2200-4.020** Requirements for Licensure **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1,

2009 (34 MoReg 2192–2194). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2232—Missouri State Committee of Interpreters  
Chapter 2—Licensure Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri State Committee of Interpreters under section 209.328.2(3), RSMo 2000, the committee amends a rule as follows:

**20 CSR 2232-2.040** Certifications Recognized by the Board **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2204–2206). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 1—Organization and Description of Commission**

**ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers under section 339.507, RSMo Supp. 2008, and section 339.509, RSMo 2000, the commission amends a rule as follows:

**20 CSR 2245-1.010** General Organization **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2207). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 3—Applications for Certification and Licensure**

**ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers under section 339.509(8), RSMo 2000, the commission amends a rule as follows:

**20 CSR 2245-3.005** Trainee Real Estate Appraiser Registration **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2207). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 5—Fees**

**ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers under section 339.509, RSMo 2000, and sections 339.513 and 339.525.5, RSMo Supp. 2008, the board amends a rule as follows:

**20 CSR 2245-5.020 Application, Certificate and License Fees  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2209–2212). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 6—Educational Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers under sections 339.509.3 and 339.509.4, RSMo 2000, the commission amends a rule as follows:

**20 CSR 2245-6.040 Case Study Courses is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2213). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 8—Continuing Education**

**ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers under sections 339.509 and 339.530, RSMo 2000, the commission amends a rule as follows:

**20 CSR 2245-8.010 Requirements is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2213–2214). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2245—Real Estate Appraisers  
Chapter 8—Continuing Education**

**ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers under sections 339.509 and 339.530, RSMo 2000, the commission amends a rule as follows:

**20 CSR 2245-8.030 Instructor Approval is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2214). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2250—Missouri Real Estate Commission  
Chapter 3—Applications for License; License  
Examinations**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Real Estate Commission under section 256.462.3, RSMo 2000, the commission amends a rule as follows:

**20 CSR 2250-3.010 Applications for License is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2214–2217). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2250—Missouri Real Estate Commission  
Chapter 4—Licenses**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Real Estate Commission under section 339.120, RSMo Supp. 2008, the commission amends a rule as follows:



**20 CSR 2250-4.020** Expiration and Renewal; Name and Address  
Changes **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2218–2220). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2250—Missouri Real Estate Commission  
Chapter 9—Disciplinary Proceedings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Real Estate Commission under section 339.120, RSMo Supp. 2008, the commission amends a rule as follows:

**20 CSR 2250-9.020** Investigation **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2009 (34 MoReg 2221). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES  
Division 60—Missouri Health Facilities Review  
Committee  
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the Expedited applications listed below. A decision is tentatively scheduled for January 21, 2010. These applications are available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name  
City (County)  
Cost, Description

**12/07/09**

**#4419 NP:** McKnight Place Extended Care  
St. Louis (St. Louis County)  
\$269,960, Long-term care bed expansion through the purchase of 39 skilled nursing facility (SNF) beds from Saxton Woods Care Center, St. Joseph (Buchanan County)

**12/09/09**

**#4458 HS:** Heartland Regional Medical Center  
St. Joseph (Buchanan County)  
\$1,742,217, Replace magnetic imaging unit

**12/10/09**

**#4451 NS:** Bethesda Southgate  
Oakville (St. Louis County)  
\$3,380,000, Renovate and modernize long-term care facility

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by Wednesday, January 11, 2010. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
3418 Knipp Drive, Suite F  
Post Office Box 570  
Jefferson City, MO 65102

For additional information contact  
Donna Schuessler, (573) 751-6403.

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES  
Division 60—Missouri Health Facilities Review  
Committee  
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated

review of the applications listed below. A decision is tentatively scheduled for March 8, 2010. These applications are available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name  
City (County)  
Cost, Description

**12/18/09**

**#4437 NS:** Bethesda Southgate SNF  
Oakville (St. Louis County)  
\$1,483,200, Add 12 skilled nursing facility (SNF) beds

**#4442 NS:** Bethesda Southgate ALF  
Oakville (St. Louis County)  
\$2,542,000, Establish 18-bed assisted living facility (ALF)

**12/21/09**

**#4460 RS:** Peaceful Pines RCF  
Poplar Bluff (Butler County)  
\$0, Add one residential care facility (RCF) bed

**#4456 NS:** Mount Carmel Senior Living-St. Charles  
St. Charles (St. Charles County)  
\$6,150,000, Add 40 SNF beds

**12/22/09**

**#4444 HS:** North Kansas City Hospital  
North Kansas City (Clay County)  
\$1,400,000, Acquire second robotic surgery system

**12/23/09**

**#4457 RS:** Country Meadow Retirement Home  
Niangua (Webster County)  
\$214,140, Add 10 RCF beds

**#4452 NS:** Alexian Brothers Sherbrooke Village  
St. Louis (St. Louis County)  
\$2,730,000, Add 12 SNF beds

**12/24/09**

**#4464 RS:** St. Peter's Senior Care  
St. Peters (St. Charles County)  
\$0, Add 10 ALF beds

**#4463 RS:** The Hallmark at Creve Couer  
Creve Coeur (St. Louis County)  
\$5,148,126, Establish 46-bed ALF

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by Wednesday, January 27, 2010. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
3418 Knipp Drive, Suite F  
Post Office Box 570  
Jefferson City, MO 65102

For additional information contact  
Donna Schuessler, (573) 751-6403.

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [dissolutions@sos.mo.gov](mailto:dissolutions@sos.mo.gov).

**NOTICE OF CORPORATE DISSOLUTION**  
**TO ALL CREDITORS OF AND CLAIMANTS AGAINST**  
**OAK APARTMENTS, INC.**

Effective December 9, 2009, OAK APARTMENTS, INC., a Missouri corporation (the "Company"), filed its Articles of Dissolution with the Missouri Secretary of State and was voluntarily dissolved.

The Company requests that all persons and entities with claims against the Company present them in accordance with this notice.

All claims against the Company must be in writing and must include the name, address and telephone number of the claimant, the amount of the claim or other relief demanded, the basis of the claim, the date or dates on which the events occurred which provide a basis for the claim, and copies of any available document supporting the claim. All claims should be mailed to: Oak Apartments, Inc., c/o Michael E. Long, Esq., Stinson Morrison Hecker LLP, 168 North Meramec Avenue, Suite 400, St. Louis, Missouri 63105.

Any claim against the Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**Notice of Winding Up to All Creditors of and Claimants Against PPC Worldwide Partners, LLC**

PPC Worldwide Partners, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State on November 19, 2009.

The Company requests all persons or entities having a claim against the Company to present them immediately in accordance with the Notice of Winding Up by letter to Carmody MacDonald P.C., Attn: Mark B. Hillis, 120 S. Central Ave., Suite 1800, St. Louis, MO 63105.

All claims must include the following information: 1) name, address and telephone number of the claimant, 2) amount claimed, 3) basis of the claim, 4) date the claim arose, and 5) attach all appropriate supporting documentation.

A claim against the Company will be barred unless a proceeding to enforce the claim is enforced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
HERKY, LLC**

Effective December 4, 2009, Herky, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State.

The Company requests that all persons and organizations who have claims against it present them immediately by letter to the Company at: Herky, LLC. c/o Harold A. Tzinberg, Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
BMC PARTNERS II, L.L.C.**

On December 9, 2009, BMC Partners II, L.L.C. a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company at: BMC Partners II, L.L.C. c/o Michael E. Long, Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against BMC Partners II, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
BMC PARTNERS III, L.L.C.**

On December 9, 2009, BMC Partners III, L.L.C. a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company at: BMC Partners III, L.L.C. c/o Michael E. Long, Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against BMC Partners III, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
REFLECTION APARTMENTS, L.L.C.**

On December 7, 2009, Reflection Apartments, L.L.C. a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company at: Reflection Apartments, L.L.C. c/o Michael E. Long, Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against Reflection Apartments, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
PROSPECT APARTMENTS, L.L.C.**

On December 7, 2009, Prospect Apartments, L.L.C. a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company at: Prospect Apartments, L.L.C. c/o Michael E. Long, Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against Prospect Apartments, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
PEACH APARTMENTS, L.L.C.**

On December 7, 2009, Peach Apartments, L.L.C. a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company at: Peach Apartments, L.L.C. c/o Michael E. Long, Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against Peach Apartments, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
WILLOW APARTMENTS, L.L.C.**

On December 7, 2009, Willow Apartments, L.L.C. a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company at: Willow Apartments, L.L.C. c/o Michael E. Long, Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against Willow Apartments, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF AND  
CLAIMANTS AGAINST  
LIVING FAITH, LLC**

On November 18, 2009, Living Faith, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Said limited liability company requests that all persons and organizations who have claims against it present them immediately by letter to the limited liability company at:

Living Faith, LLC  
Attn: Michael A. Cosby  
Husch Blackwell Sanders LLP  
901 St. Louis, Suite 1800  
Springfield, MO 65806

All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, and a brief description of the nature of the debt or the basis for the claim.

**NOTICE: Because of the dissolution of Living Faith, LLC, any claim against it will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of the three notices authorized by statute, whichever is published last.**

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
ADVANCED HEALTHCARE DIAGNOSTIC SERVICES, LLC**

On November 20, 2009, Advanced Healthcare Diagnostic Services, LLC, a limited liability company of the State of Missouri, filed its Notice of Winding Up with the Missouri Secretary of State. Dissolution was effective on the filing date. All persons and organizations with claims against said corporation must submit in writing to L. Dwayne Hackworth, Hackworth, & Ferguson, L.L.C., 1401 North Main, Suite 200, Piedmont, Missouri, 63957, a summary of the claim, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim arose (or will arise); 4) brief description of the nature of the debt or the basis for the claim and the collateral used as security, if any; and 5) documentation in support of claim.

Notice: Any and all claims against Advanced Healthcare Diagnostic Services, LLC, will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION AND WINDING UP**  
**TO ALL CREDITORS OF AND CLAIMANTS AGAINST**  
**MISSOURI WHEELS, LLC**

On 12/2/2009, MISSOURI WHEELS, LLC, a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to: Andy Wurm Tire Co., Inc., 201 S. Florissant Road, St. Louis, Missouri 63135. All claims must include the claimant's name, address and telephone number, the amount, date and basis for the claim.

NOTICE: BECAUSE OF THE WINDING UP OF MISSOURI WHEELS, LLC, ANY CLAIMS AGAINST IT WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN THREE YEARS AFTER THE PUBLICATION OF THE THREE NOTICES AUTHORIZED BY STATUTE, WHICHEVER IS PUBLISHED LAST.



# Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				30 MoReg 2435
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel		This Issue		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-2.010	Animal Health		34 MoReg 1461	34 MoReg 2597	
2 CSR 30-2.020	Animal Health		34 MoReg 1468	34 MoReg 2598	
2 CSR 30-6.015	Animal Health		34 MoReg 1474	34 MoReg 2600	
2 CSR 30-6.020	Animal Health		34 MoReg 1475	34 MoReg 2600	
2 CSR 80-2.010	State Milk Board		34 MoReg 1788	34 MoReg 2546	
2 CSR 80-2.020	State Milk Board		34 MoReg 1788	34 MoReg 2546	
2 CSR 80-2.030	State Milk Board		34 MoReg 1789	34 MoReg 2546	
2 CSR 80-2.040	State Milk Board		34 MoReg 1789	34 MoReg 2546	
2 CSR 80-2.050	State Milk Board		34 MoReg 1790	34 MoReg 2546	
2 CSR 80-2.060	State Milk Board		34 MoReg 1790	34 MoReg 2547	
2 CSR 80-2.070	State Milk Board		34 MoReg 1790	34 MoReg 2547	
2 CSR 80-2.080	State Milk Board		34 MoReg 1793	34 MoReg 2547	
2 CSR 80-2.091	State Milk Board		34 MoReg 1793	34 MoReg 2547	
2 CSR 80-2.101	State Milk Board		34 MoReg 1794	34 MoReg 2547	
2 CSR 80-2.110	State Milk Board		34 MoReg 1794	34 MoReg 2547	
2 CSR 80-2.121	State Milk Board		34 MoReg 1794	34 MoReg 2548	
2 CSR 80-2.130	State Milk Board		34 MoReg 1795	34 MoReg 2548	
2 CSR 80-2.141	State Milk Board		34 MoReg 1795	34 MoReg 2548	
2 CSR 80-2.151	State Milk Board		34 MoReg 1796	34 MoReg 2548	
2 CSR 80-2.161	State Milk Board		34 MoReg 1796	34 MoReg 2548	
2 CSR 80-2.170	State Milk Board		34 MoReg 1796	34 MoReg 2548	
2 CSR 90-10	Weights and Measures				34 MoReg 1949
2 CSR 100-6.010	Missouri Agricultural and Small Business Development Authority	34 MoReg 2527	35 MoReg 7		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-4.135	Conservation Commission		34 MoReg 2364	This Issue	
3 CSR 10-5.422	Conservation Commission		34 MoReg 2364R	This IssueR	
3 CSR 10-5.435	Conservation Commission		34 MoReg 1985	34 MoReg 2601	
3 CSR 10-6.410	Conservation Commission		34 MoReg 2365	This Issue	
3 CSR 10-6.550	Conservation Commission		34 MoReg 2365	This Issue	
3 CSR 10-8.515	Conservation Commission		34 MoReg 2365	This Issue	
3 CSR 10-9.110	Conservation Commission		34 MoReg 2366	This Issue	
3 CSR 10-9.353	Conservation Commission		34 MoReg 2367	This Issue	
3 CSR 10-9.425	Conservation Commission		34 MoReg 2367	This Issue	
3 CSR 10-9.645	Conservation Commission		34 MoReg 2368	This Issue	
3 CSR 10-10.725	Conservation Commission		34 MoReg 2368	This Issue	
3 CSR 10-10.726	Conservation Commission		34 MoReg 2368	This Issue	
3 CSR 10-10.727	Conservation Commission		34 MoReg 2369	This Issue	
3 CSR 10-10.767	Conservation Commission		34 MoReg 2369	This Issue	
3 CSR 10-10.780	Conservation Commission		34 MoReg 2370R	This IssueR	
3 CSR 10-10.781	Conservation Commission		34 MoReg 2370R	This IssueR	
3 CSR 10-10.782	Conservation Commission		34 MoReg 2370R	This IssueR	
3 CSR 10-10.783	Conservation Commission		34 MoReg 2370R	This IssueR	
3 CSR 10-10.784	Conservation Commission		34 MoReg 2371R	This IssueR	
3 CSR 10-10.787	Conservation Commission		34 MoReg 2371R	This IssueR	
3 CSR 10-11.130	Conservation Commission		34 MoReg 2371	This Issue	
3 CSR 10-11.155	Conservation Commission		34 MoReg 2372	This Issue	
3 CSR 10-11.180	Conservation Commission		34 MoReg 2373	This Issue	
3 CSR 10-11.200	Conservation Commission		34 MoReg 2374	This Issue	
3 CSR 10-11.205	Conservation Commission		34 MoReg 2375	This Issue	
3 CSR 10-11.210	Conservation Commission		34 MoReg 2376	This Issue	
3 CSR 10-11.215	Conservation Commission		34 MoReg 2377	This Issue	
3 CSR 10-12.110	Conservation Commission		34 MoReg 2378	This Issue	
3 CSR 10-12.125	Conservation Commission		34 MoReg 2378	This Issue	
3 CSR 10-12.130	Conservation Commission		34 MoReg 2379	This Issue	
3 CSR 10-12.135	Conservation Commission		34 MoReg 2379	This Issue	
3 CSR 10-12.140	Conservation Commission		34 MoReg 2380	This Issue	
3 CSR 10-12.145	Conservation Commission		34 MoReg 2381	This Issue	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 85-6.010	Division of Business and Community Services	34 MoReg 2353	34 MoReg 2381		
4 CSR 240-4.020	Public Service Commission		34 MoReg 2590R 34 MoReg 2590		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 50-345.105	Division of School Improvement		34 MoReg 2141		
5 CSR 50-345.205	Division of School Improvement		34 MoReg 2144		
5 CSR 60-100.020	Division of Career Education				35 MoReg 59
<b>DEPARTMENT OF HIGHER EDUCATION</b>					
6 CSR 250-11.041	University of Missouri		34 MoReg 2592		
6 CSR 250-11.042	University of Missouri		34 MoReg 2594		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-11.010	Missouri Highways and Transportation Commission		34 MoReg 1483	34 MoReg 2601	
7 CSR 10-11.020	Missouri Highways and Transportation Commission		34 MoReg 1484R 34 MoReg 1484	34 MoReg 2601R 34 MoReg 2601	
7 CSR 10-11.030	Missouri Highways and Transportation Commission		34 MoReg 1487R 34 MoReg 1487	34 MoReg 2602R 34 MoReg 2602	
7 CSR 10-25.010	Missouri Highways and Transportation Commission				34 MoReg 2615
7 CSR 10-27.010	Missouri Highways and Transportation Commission		34 MoReg 2315		
7 CSR 10-27.020	Missouri Highways and Transportation Commission		34 MoReg 2317		
7 CSR 10-27.030	Missouri Highways and Transportation Commission		34 MoReg 2319		
7 CSR 10-27.040	Missouri Highways and Transportation Commission		34 MoReg 2321		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 10-2.010	Division of Employment Security		34 MoReg 1985	35 MoReg 21	
8 CSR 10-3.140	Division of Employment Security		34 MoReg 2145	This Issue	
8 CSR 50-1.010	Division of Workers' Compensation		34 MoReg 2467		
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10-31.011	Director, Department of Mental Health		35 MoReg 8		
9 CSR 30-4.0432	Certification Standards		34 MoReg 1986		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 1-3.010	Director's Office		34 MoReg 2385		
10 CSR 10-6.010	Air Conservation Commission		34 MoReg 2385		
10 CSR 10-6.040	Air Conservation Commission		34 MoReg 2387		
10 CSR 10-6.050	Air Conservation Commission		34 MoReg 2594		
10 CSR 10-6.070	Air Conservation Commission		34 MoReg 2387		
10 CSR 10-6.075	Air Conservation Commission		34 MoReg 2389		
10 CSR 10-6.080	Air Conservation Commission		34 MoReg 2392		
10 CSR 10-6.130	Air Conservation Commission		34 MoReg 2392		
10 CSR 10-6.362	Air Conservation Commission		34 MoReg 1541	35 MoReg 21	
10 CSR 10-6.364	Air Conservation Commission		34 MoReg 1548	35 MoReg 22	
10 CSR 10-6.366	Air Conservation Commission		34 MoReg 1552	35 MoReg 22	
10 CSR 10-6.390	Air Conservation Commission		34 MoReg 2145		
10 CSR 20-4.040	Clean Water Commission	34 MoReg 1326	34 MoReg 1398	This Issue	
10 CSR 20-7.015	Clean Water Commission		34 MoReg 2394		
10 CSR 20-10.010	Clean Water Commission (Changed to 10 CSR 26-2.010)		34 MoReg 843	35 MoReg 23W	
10 CSR 20-10.011	Clean Water Commission (Changed to 10 CSR 26-2.011)		34 MoReg 845	35 MoReg 24W	
10 CSR 20-10.012	Clean Water Commission (Changed to 10 CSR 26-2.012)		34 MoReg 845	35 MoReg 24W	
10 CSR 20-10.020	Clean Water Commission (Changed to 10 CSR 26-2.020)		34 MoReg 847	35 MoReg 25W	
10 CSR 20-10.021	Clean Water Commission (Changed to 10 CSR 26-2.021)		34 MoReg 849	35 MoReg 25W	
10 CSR 20-10.022	Clean Water Commission (Changed to 10 CSR 26-2.022)		34 MoReg 849	35 MoReg 26W	
10 CSR 20-10.030	Clean Water Commission (Changed to 10 CSR 26-2.030)		34 MoReg 850	35 MoReg 26W	
10 CSR 20-10.031	Clean Water Commission (Changed to 10 CSR 26-2.031)		34 MoReg 851	35 MoReg 26W	
10 CSR 20-10.032	Clean Water Commission (Changed to 10 CSR 26-2.032)		34 MoReg 851	35 MoReg 26W	
10 CSR 20-10.033	Clean Water Commission (Changed to 10 CSR 26-2.033)		34 MoReg 851	35 MoReg 26W	
10 CSR 20-10.034	Clean Water Commission (Changed to 10 CSR 26-2.034)		34 MoReg 852	35 MoReg 27W	
10 CSR 20-10.040	Clean Water Commission (Changed to 10 CSR 26-2.040)		34 MoReg 853	35 MoReg 27W	
10 CSR 20-10.041	Clean Water Commission (Changed to 10 CSR 26-2.041)		34 MoReg 854	35 MoReg 27W	
10 CSR 20-10.042	Clean Water Commission (Changed to 10 CSR 26-2.042)		34 MoReg 854	35 MoReg 27W	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 20-10.043	Clean Water Commission ( <i>Changed to 10 CSR 26-2.043</i> )		34 MoReg 855	35 MoReg 28W	
10 CSR 20-10.044	Clean Water Commission ( <i>Changed to 10 CSR 26-2.044</i> )		34 MoReg 857	35 MoReg 28W	
10 CSR 20-10.045	Clean Water Commission ( <i>Changed to 10 CSR 26-2.045</i> )		34 MoReg 857	35 MoReg 28W	
10 CSR 20-10.050	Clean Water Commission ( <i>Changed to 10 CSR 26-2.050</i> )		34 MoReg 858	35 MoReg 28W	
10 CSR 20-10.051	Clean Water Commission ( <i>Changed to 10 CSR 26-2.051</i> )		34 MoReg 862	35 MoReg 29W	
10 CSR 20-10.052	Clean Water Commission ( <i>Changed to 10 CSR 26-2.052</i> )		34 MoReg 862	35 MoReg 29W	
10 CSR 20-10.053	Clean Water Commission ( <i>Changed to 10 CSR 26-2.053</i> )		34 MoReg 863	35 MoReg 29W	
10 CSR 20-10.060	Clean Water Commission ( <i>Changed to 10 CSR 26-2.070</i> )		34 MoReg 866	35 MoReg 29W	
10 CSR 20-10.061	Clean Water Commission ( <i>Changed to 10 CSR 26-2.071</i> )		34 MoReg 866	35 MoReg 30W	
10 CSR 20-10.062	Clean Water Commission ( <i>Changed to 10 CSR 26-2.072</i> )		34 MoReg 871	35 MoReg 30W	
10 CSR 20-10.063	Clean Water Commission ( <i>Changed to 10 CSR 26-2.073</i> )		34 MoReg 877	35 MoReg 31W	
10 CSR 20-10.064	Clean Water Commission ( <i>Changed to 10 CSR 26-2.074</i> )		34 MoReg 877	35 MoReg 31W	
10 CSR 20-10.065	Clean Water Commission		34 MoReg 884R	35 MoReg 32W	
10 CSR 20-10.066	Clean Water Commission		34 MoReg 884R	35 MoReg 32W	
10 CSR 20-10.067	Clean Water Commission		34 MoReg 884R	35 MoReg 32W	
10 CSR 20-10.068	Clean Water Commission		34 MoReg 885R	35 MoReg 32W	
10 CSR 20-10.070	Clean Water Commission ( <i>Changed to 10 CSR 26-2.060</i> )		34 MoReg 885	35 MoReg 32W	
10 CSR 20-10.071	Clean Water Commission ( <i>Changed to 10 CSR 26-2.061</i> )		34 MoReg 885	35 MoReg 33W	
10 CSR 20-10.072	Clean Water Commission ( <i>Changed to 10 CSR 26-2.062</i> )		34 MoReg 886	35 MoReg 33W	
10 CSR 20-10.073	Clean Water Commission ( <i>Changed to 10 CSR 26-2.063</i> )		34 MoReg 890	35 MoReg 33W	
10 CSR 20-10.074	Clean Water Commission ( <i>Changed to 10 CSR 26-2.064</i> )		34 MoReg 890	35 MoReg 34W	
10 CSR 20-11.090	Clean Water Commission ( <i>Changed to 10 CSR 26-3.090</i> )		34 MoReg 890	35 MoReg 34W	
10 CSR 20-11.091	Clean Water Commission ( <i>Changed to 10 CSR 26-3.091</i> )		34 MoReg 891	35 MoReg 34W	
10 CSR 20-11.092	Clean Water Commission ( <i>Changed to 10 CSR 26-3.092</i> )		34 MoReg 891	35 MoReg 34W	
10 CSR 20-11.093	Clean Water Commission ( <i>Changed to 10 CSR 26-3.093</i> )		34 MoReg 892	35 MoReg 34W	
10 CSR 20-11.094	Clean Water Commission ( <i>Changed to 10 CSR 26-3.094</i> )		34 MoReg 892	35 MoReg 35W	
10 CSR 20-11.095	Clean Water Commission ( <i>Changed to 10 CSR 26-3.095</i> )		34 MoReg 896	35 MoReg 35W	
10 CSR 20-11.096	Clean Water Commission ( <i>Changed to 10 CSR 26-3.096</i> )		34 MoReg 897	35 MoReg 35W	
10 CSR 20-11.097	Clean Water Commission ( <i>Changed to 10 CSR 26-3.097</i> )		34 MoReg 900	35 MoReg 35W	
10 CSR 20-11.098	Clean Water Commission ( <i>Changed to 10 CSR 26-3.098</i> )		34 MoReg 903	35 MoReg 35W	
10 CSR 20-11.099	Clean Water Commission ( <i>Changed to 10 CSR 26-3.099</i> )		34 MoReg 906	35 MoReg 36W	
10 CSR 20-11.101	Clean Water Commission ( <i>Changed to 10 CSR 26-3.101</i> )		34 MoReg 908	35 MoReg 36W	
10 CSR 20-11.102	Clean Water Commission ( <i>Changed to 10 CSR 26-3.102</i> )		34 MoReg 908	35 MoReg 36W	
10 CSR 20-11.103	Clean Water Commission ( <i>Changed to 10 CSR 26-3.103</i> )		34 MoReg 909	35 MoReg 36W	
10 CSR 20-11.104	Clean Water Commission ( <i>Changed to 10 CSR 26-3.104</i> )		34 MoReg 914	35 MoReg 36W	
10 CSR 20-11.105	Clean Water Commission ( <i>Changed to 10 CSR 26-3.105</i> )		34 MoReg 914	35 MoReg 37W	
10 CSR 20-11.106	Clean Water Commission ( <i>Changed to 10 CSR 26-3.106</i> )		34 MoReg 915	35 MoReg 37W	
10 CSR 20-11.107	Clean Water Commission ( <i>Changed to 10 CSR 26-3.107</i> )		34 MoReg 915	35 MoReg 37W	
10 CSR 20-11.108	Clean Water Commission ( <i>Changed to 10 CSR 26-3.108</i> )		34 MoReg 918	35 MoReg 37W	
10 CSR 20-11.109	Clean Water Commission ( <i>Changed to 10 CSR 26-3.109</i> )		34 MoReg 920	35 MoReg 37W	
10 CSR 20-11.110	Clean Water Commission ( <i>Changed to 10 CSR 26-3.110</i> )		34 MoReg 920	35 MoReg 37W	
10 CSR 20-11.111	Clean Water Commission ( <i>Changed to 10 CSR 26-3.111</i> )		34 MoReg 921	35 MoReg 38W	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 20-11.112	Clean Water Commission ( <i>Changed to 10 CSR 26-3.112</i> )		34 MoReg 921	35 MoReg 38W	
10 CSR 20-11.113	Clean Water Commission ( <i>Changed to 10 CSR 26-3.113</i> )		34 MoReg 925	35 MoReg 38W	
10 CSR 20-11.114	Clean Water Commission ( <i>Changed to 10 CSR 26-3.114</i> )		34 MoReg 928	35 MoReg 38W	
10 CSR 20-11.115	Clean Water Commission ( <i>Changed to 10 CSR 26-3.115</i> )		34 MoReg 935	35 MoReg 38W	
10 CSR 20-13.080	Clean Water Commission ( <i>Changed to 10 CSR 26-4.080</i> )		34 MoReg 937	35 MoReg 39W	
10 CSR 20-15.010	Clean Water Commission ( <i>Changed to 10 CSR 26-5.010</i> )		34 MoReg 937		
10 CSR 20-15.020	Clean Water Commission ( <i>Changed to 10 CSR 26-5.020</i> )		34 MoReg 938		
10 CSR 20-15.030	Clean Water Commission ( <i>Changed to 10 CSR 26-5.030</i> )		34 MoReg 938		
10 CSR 25-19.010	Hazardous Waste Management Commission	34 MoReg 1535	34 MoReg 1553		
10 CSR 26-1.010	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 939	35 MoReg 39W	
10 CSR 26-2.010	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.010</i> )		34 MoReg 843	35 MoReg 23W	
10 CSR 26-2.011	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.011</i> )		34 MoReg 845	35 MoReg 24W	
10 CSR 26-2.012	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.012</i> )		34 MoReg 845	35 MoReg 24W	
10 CSR 26-2.020	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.020</i> )		34 MoReg 847	35 MoReg 25W	
10 CSR 26-2.021	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.021</i> )		34 MoReg 849	35 MoReg 25W	
10 CSR 26-2.022	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.022</i> )		34 MoReg 849	35 MoReg 26W	
10 CSR 26-2.030	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.030</i> )		34 MoReg 850	35 MoReg 26W	
10 CSR 26-2.031	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.031</i> )		34 MoReg 851	35 MoReg 26W	
10 CSR 26-2.032	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.032</i> )		34 MoReg 851	35 MoReg 26W	
10 CSR 26-2.033	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.033</i> )		34 MoReg 851	35 MoReg 26W	
10 CSR 26-2.034	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.034</i> )		34 MoReg 852	35 MoReg 27W	
10 CSR 26-2.040	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.040</i> )		34 MoReg 853	35 MoReg 27W	
10 CSR 26-2.041	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.041</i> )		34 MoReg 854	35 MoReg 27W	
10 CSR 26-2.042	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.042</i> )		34 MoReg 854	35 MoReg 27W	
10 CSR 26-2.043	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.043</i> )		34 MoReg 855	35 MoReg 28W	
10 CSR 26-2.044	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.044</i> )		34 MoReg 857	35 MoReg 28W	
10 CSR 26-2.045	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.045</i> )		34 MoReg 857	35 MoReg 28W	
10 CSR 26-2.050	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.050</i> )		34 MoReg 858	35 MoReg 28W	
10 CSR 26-2.051	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.051</i> )		34 MoReg 862	35 MoReg 29W	
10 CSR 26-2.052	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.052</i> )		34 MoReg 862	35 MoReg 29W	
10 CSR 26-2.053	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.053</i> )		34 MoReg 863	35 MoReg 29W	
10 CSR 26-2.060	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.070</i> )		34 MoReg 885	35 MoReg 32W	
10 CSR 26-2.061	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.071</i> )		34 MoReg 885	35 MoReg 33W	
10 CSR 26-2.062	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.072</i> )		34 MoReg 886	35 MoReg 33W	
10 CSR 26-2.063	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.073</i> )		34 MoReg 890	35 MoReg 33W	
10 CSR 26-2.064	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.074</i> )		34 MoReg 890	35 MoReg 34W	
10 CSR 26-2.070	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.060</i> )		34 MoReg 866	35 MoReg 29W	
10 CSR 26-2.071	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.061</i> )		34 MoReg 866	35 MoReg 30W	
10 CSR 26-2.072	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.062</i> )		34 MoReg 871	35 MoReg 30W	
10 CSR 26-2.073	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.063</i> )		34 MoReg 877	35 MoReg 31W	
10 CSR 26-2.074	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-10.064</i> )		34 MoReg 877	35 MoReg 31W	

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10 CSR 26-2.075	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 939	35 MoReg 39W	
10 CSR 26-2.076	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 956	35 MoReg 41W	
10 CSR 26-2.077	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 968	35 MoReg 44W	
10 CSR 26-2.078	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 978	35 MoReg 45W	
10 CSR 26-2.079	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 991	35 MoReg 45W	
10 CSR 26-2.080	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 1004	35 MoReg 48W	
10 CSR 26-2.081	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 1009	35 MoReg 49W	
10 CSR 26-2.082	Petroleum and Hazardous Substance Storage Tanks		34 MoReg 1020	35 MoReg 53W	
10 CSR 26-3.090	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.090</i> )		34 MoReg 890	35 MoReg 34W	
10 CSR 26-3.091	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.091</i> )		34 MoReg 891	35 MoReg 34W	
10 CSR 26-3.092	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.092</i> )		34 MoReg 891	35 MoReg 34W	
10 CSR 26-3.093	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.093</i> )		34 MoReg 892	35 MoReg 34W	
10 CSR 26-3.094	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.094</i> )		34 MoReg 892	35 MoReg 35W	
10 CSR 26-3.095	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.095</i> )		34 MoReg 896	35 MoReg 35W	
10 CSR 26-3.096	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.096</i> )		34 MoReg 897	35 MoReg 35W	
10 CSR 26-3.097	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.097</i> )		34 MoReg 900	35 MoReg 35W	
10 CSR 26-3.098	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.098</i> )		34 MoReg 903	35 MoReg 35W	
10 CSR 26-3.099	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.099</i> )		34 MoReg 906	35 MoReg 36W	
10 CSR 26-3.101	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.101</i> )		34 MoReg 908	35 MoReg 36W	
10 CSR 26-3.102	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.102</i> )		34 MoReg 908	35 MoReg 36W	
10 CSR 26-3.103	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.103</i> )		34 MoReg 909	35 MoReg 36W	
10 CSR 26-3.104	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.104</i> )		34 MoReg 914	35 MoReg 36W	
10 CSR 26-3.105	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.105</i> )		34 MoReg 914	35 MoReg 37W	
10 CSR 26-3.106	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.106</i> )		34 MoReg 915	35 MoReg 37W	
10 CSR 26-3.107	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.107</i> )		34 MoReg 915	35 MoReg 37W	
10 CSR 26-3.108	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.108</i> )		34 MoReg 918	35 MoReg 37W	
10 CSR 26-3.109	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.109</i> )		34 MoReg 920	35 MoReg 37W	
10 CSR 26-3.110	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.110</i> )		34 MoReg 920	35 MoReg 37W	
10 CSR 26-3.111	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.111</i> )		34 MoReg 921	35 MoReg 38W	
10 CSR 26-3.112	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.112</i> )		34 MoReg 921	35 MoReg 38W	
10 CSR 26-3.113	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.113</i> )		34 MoReg 925	35 MoReg 38W	
10 CSR 26-3.114	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.114</i> )		34 MoReg 928	35 MoReg 38W	
10 CSR 26-3.115	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-II.115</i> )		34 MoReg 935	35 MoReg 38W	
10 CSR 26-4.080	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-13.080</i> )		34 MoReg 937	35 MoReg 39W	
10 CSR 26-5.010	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-15.010</i> )		34 MoReg 937		
10 CSR 26-5.020	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-15.020</i> )		34 MoReg 938		
10 CSR 26-5.030	Petroleum and Hazardous Substance Storage Tanks ( <i>Changed from 10 CSR 20-15.030</i> )		34 MoReg 938		
10 CSR 60-13.020	Safe Drinking Water Commission	34 MoReg 1393	34 MoReg 1561	34 MoReg 2602	
10 CSR 70-5.010	Soil and Water Districts Commission	34 MoReg 1779			
10 CSR 70-5.020	Soil and Water Districts Commission	34 MoReg 1780			
10 CSR 70-5.030	Soil and Water Districts Commission	34 MoReg 1782			
10 CSR 70-5.040	Soil and Water Districts Commission	34 MoReg 1783			
10 CSR 70-5.050	Soil and Water Districts Commission	34 MoReg 1785			
10 CSR 70-5.060	Soil and Water Districts Commission	34 MoReg 1786			
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 40-2.010	Division of Fire Safety		34 MoReg 1570	35 MoReg 53	
11 CSR 40-2.015	Division of Fire Safety		34 MoReg 1572	35 MoReg 53	
11 CSR 40-2.022	Division of Fire Safety		34 MoReg 1573	35 MoReg 54	
11 CSR 40-2.030	Division of Fire Safety		34 MoReg 1574	35 MoReg 54	
11 CSR 40-2.040	Division of Fire Safety		34 MoReg 1575	35 MoReg 55	

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11 CSR 40-2.061	Division of Fire Safety		34 MoReg 1578	35 MoReg 56	
11 CSR 45-4.020	Missouri Gaming Commission		34 MoReg 1797		
11 CSR 45-4.190	Missouri Gaming Commission		34 MoReg 1797		
11 CSR 45-4.200	Missouri Gaming Commission		34 MoReg 1797		
11 CSR 45-4.500	Missouri Gaming Commission		34 MoReg 1798		
11 CSR 45-4.510	Missouri Gaming Commission		34 MoReg 1798		
11 CSR 45-4.520	Missouri Gaming Commission		34 MoReg 1801		
11 CSR 45-4.530	Missouri Gaming Commission		34 MoReg 1801		
11 CSR 45-4.540	Missouri Gaming Commission		34 MoReg 1802		
11 CSR 45-5.100	Missouri Gaming Commission		34 MoReg 1578	34 MoReg 2602	
11 CSR 45-10.040	Missouri Gaming Commission		This Issue		
11 CSR 45-11.020	Missouri Gaming Commission	This Issue	This Issue		
11 CSR 45-11.030	Missouri Gaming Commission	This Issue	This Issue		
11 CSR 45-11.050	Missouri Gaming Commission	This Issue	This Issue		
11 CSR 45-11.070	Missouri Gaming Commission	This Issue	This Issue		
11 CSR 45-11.130	Missouri Gaming Commission	This Issue	This Issue		
11 CSR 50-2.320	Missouri State Highway Patrol		34 MoReg 1990	35 MoReg 56	
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-2.045	Director of Revenue		35 MoReg 13		
12 CSR 10-3.562	Director of Revenue		34 MoReg 1729R	34 MoReg 2549R	
12 CSR 10-41.010	Director of Revenue	34 MoReg 2528	34 MoReg 2536		
12 CSR 10-110.900	Director of Revenue		34 MoReg 2467		
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 70-3.030	MO HealthNet Division		34 MoReg 1990	35 MoReg 56	
13 CSR 70-3.100	MO HealthNet Division		34 MoReg 1993	35 MoReg 56	
13 CSR 70-3.170	MO HealthNet Division	34 MoReg 1537	34 MoReg 1578	34 MoReg 2549	
13 CSR 70-10.016	MO HealthNet Division	34 MoReg 2583	34 MoReg 1582	34 MoReg 2602	
13 CSR 70-10.110	MO HealthNet Division	34 MoReg 2585	34 MoReg 1586	34 MoReg 2603	
		35 MoReg 5	35 MoReg 13		
13 CSR 70-15.010	MO HealthNet Division		34 MoReg 1802		
13 CSR 70-15.110	MO HealthNet Division	34 MoReg 1538	34 MoReg 1588	34 MoReg 2603	
		35 MoReg 5	35 MoReg 17		
13 CSR 70-20.034	MO HealthNet Division		34 MoReg 1994	35 MoReg 56	
13 CSR 70-20.320	MO HealthNet Division		34 MoReg 1590	34 MoReg 2603	
		35 MoReg 6	35 MoReg 19		
13 CSR 70-35.010	MO HealthNet Division		34 MoReg 1994	35 MoReg 56	
13 CSR 70-40.010	MO HealthNet Division		34 MoReg 1996	35 MoReg 57	
13 CSR 70-90.010	MO HealthNet Division		34 MoReg 1998	35 MoReg 57	
13 CSR 70-90.020	MO HealthNet Division		34 MoReg 2000	35 MoReg 57	
13 CSR 70-95.010	MO HealthNet Division		34 MoReg 2000	35 MoReg 57	
<b>ELECTED OFFICIALS</b>					
15 CSR 30-45.040	Secretary of State		34 MoReg 1488		
15 CSR 50-2.050	Treasurer	34 MoReg 2528	34 MoReg 2540		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 20-2.080	Missouri Local Government Employees' Retirement System (LAGERS)		This IssueR		
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16 CSR 20-2.105	Missouri Local Government Employees' Retirement System (LAGERS)		34 MoReg 2595		
16 CSR 50-2.035	The County Employees' Retirement Fund		34 MoReg 2146		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 20-28	Division of Community and Public Health				34 MoReg 2432
19 CSR 30-40.342	Division of Regulation and Licensure		34 MoReg 2147		
19 CSR 30-70.650	Division of Regulation and Licensure		34 MoReg 1729	This Issue	
19 CSR 60-50	Missouri Health Facilities Review Committee				This Issue
<b>DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION</b>					
20 CSR	Construction Claims Binding Arbitration Cap				33 MoReg 150
					33 MoReg 2446
20 CSR	Medical Malpractice				31 MoReg 616
					32 MoReg 545
20 CSR	Sovereign Immunity Limits				31 MoReg 2019
					33 MoReg 150
					33 MoReg 2446
20 CSR	State Legal Expense Fund Cap				32 MoReg 668
					33 MoReg 150
					33 MoReg 2446
20 CSR 200-1.005	Insurance Solvency and Company Regulation		34 MoReg 1738	35 MoReg 57	
20 CSR 200-1.030	Insurance Solvency and Company Regulation		34 MoReg 1738	35 MoReg 58	
20 CSR 200-1.105	Insurance Solvency and Company Regulation		34 MoReg 2154		
20 CSR 400-3.650	Life, Annuities and Health	34 MoReg 1539	34 MoReg 1805		
20 CSR 1105-3.011	Credit Union Commission		34 MoReg 2472		
20 CSR 1105-3.012	Credit Union Commission		34 MoReg 2472		
20 CSR 2015-1.030	Acupuncturist Advisory Committee	34 MoReg 1173			
20 CSR 2030-2.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		34 MoReg 1921	34 MoReg 2603	

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20 CSR 2030-21.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		34 MoReg 1921	34 MoReg 2603	
20 CSR 2070-2.031	State Board of Chiropractic Examiners		34 MoReg 2154	This Issue	
20 CSR 2070-2.080	State Board of Chiropractic Examiners		34 MoReg 2159	This Issue	
20 CSR 2070-2.081	State Board of Chiropractic Examiners		34 MoReg 2164	This Issue	
20 CSR 2070-2.090	State Board of Chiropractic Examiners		34 MoReg 2168	This Issue	
20 CSR 2070-4.010	State Board of Chiropractic Examiners		34 MoReg 2168R 34 MoReg 2168	This IssueR This Issue	
20 CSR 2070-4.020	State Board of Chiropractic Examiners		34 MoReg 2174R	This IssueR	
20 CSR 2070-4.030	State Board of Chiropractic Examiners		34 MoReg 2174R	This IssueR	
20 CSR 2085-3.010	Board of Cosmetology and Barber Examiners	34 MoReg 1459	34 MoReg 1024 34 MoReg 1921	34 MoReg 1743 34 MoReg 2604	
20 CSR 2085-9.020	Board of Cosmetology and Barber Examiners		34 MoReg 1925	34 MoReg 2604	
20 CSR 2085-12.040	Board of Cosmetology and Barber Examiners		34 MoReg 1928	34 MoReg 2604	
20 CSR 2085-12.070	Board of Cosmetology and Barber Examiners		34 MoReg 1928	34 MoReg 2604	
20 CSR 2085-12.080	Board of Cosmetology and Barber Examiners		34 MoReg 1928	34 MoReg 2604	
20 CSR 2120-1.040	State Board of Embalmers and Funeral Directors		34 MoReg 1929	34 MoReg 2605	
20 CSR 2120-2.010	State Board of Embalmers and Funeral Directors		34 MoReg 1929	34 MoReg 2605	
20 CSR 2120-2.040	State Board of Embalmers and Funeral Directors		34 MoReg 1930	34 MoReg 2605	
20 CSR 2120-2.060	State Board of Embalmers and Funeral Directors		34 MoReg 1930	34 MoReg 2605	
20 CSR 2120-2.100	State Board of Embalmers and Funeral Directors	34 MoReg 2357	34 MoReg 2417		
20 CSR 2120-2.130	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-2.140	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-2.150	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.100	State Board of Embalmers and Funeral Directors	34 MoReg 2463			
20 CSR 2120-3.105	State Board of Embalmers and Funeral Directors	34 MoReg 2357	34 MoReg 2421		
20 CSR 2120-3.115	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.120	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.125	State Board of Embalmers and Funeral Directors	34 MoReg 2358	34 MoReg 2424		
20 CSR 2120-3.200	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.300	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.305	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.310	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.400	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.405	State Board of Embalmers and Funeral Directors	34 MoReg 2464	34 MoReg 2424		
20 CSR 2120-3.410	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.505	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.515	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2120-3.525	State Board of Embalmers and Funeral Directors	This Issue	This Issue		
20 CSR 2145-2.030	Missouri Board of Geologist Registration		34 MoReg 2174	This Issue	
20 CSR 2145-2.040	Missouri Board of Geologist Registration		34 MoReg 2175	This Issue	
20 CSR 2150-2.100	State Board of Registration for the Healing Arts		34 MoReg 2175	This Issue	
20 CSR 2150-2.155	State Board of Registration for the Healing Arts		34 MoReg 2175	This Issue	
20 CSR 2150-3.203	State Board of Registration for the Healing Arts		34 MoReg 2179	This Issue	
20 CSR 2150-4.053	State Board of Registration for the Healing Arts		34 MoReg 2179	This Issue	
20 CSR 2150-5.020	State Board of Registration for the Healing Arts		34 MoReg 2001	34 MoReg 2605	
20 CSR 2150-5.025	State Board of Registration for the Healing Arts	34 MoReg 2529	34 MoReg 2540		
20 CSR 2197-2.030	Board of Therapeutic Massage		34 MoReg 2180	This Issue	
20 CSR 2197-4.010	Board of Therapeutic Massage		34 MoReg 2180R 34 MoReg 2180	This IssueR This Issue	
20 CSR 2197-4.030	Board of Therapeutic Massage		34 MoReg 2185	This Issue	
20 CSR 2197-4.040	Board of Therapeutic Massage		34 MoReg 2190	This Issue	
20 CSR 2200-4.020	State Board of Nursing		34 MoReg 2192	This Issue	
20 CSR 2200-4.021	State Board of Nursing		34 MoReg 2473R		
20 CSR 2200-4.022	State Board of Nursing		34 MoReg 2473		
20 CSR 2205-1.050	Missouri Board of Occupational Therapy	34 MoReg 1173			
20 CSR 2220-2.175	State Board of Pharmacy		34 MoReg 2195		
20 CSR 2220-2.700	State Board of Pharmacy		34 MoReg 2204		
20 CSR 2220-6.050	State Board of Pharmacy	34 MoReg 2531	34 MoReg 2542		
20 CSR 2220-6.055	State Board of Pharmacy	34 MoReg 2534	34 MoReg 2544		
20 CSR 2232-2.040	Missouri State Committee of Interpreters		34 MoReg 2204	This Issue	

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20 CSR 2234-1.010	Board of Private Investigator Examiners		34 MoReg 1593	34 MoReg 2605	
20 CSR 2234-1.020	Board of Private Investigator Examiners		34 MoReg 1594	34 MoReg 2606	
20 CSR 2234-1.030	Board of Private Investigator Examiners		34 MoReg 1597	34 MoReg 2606	
20 CSR 2234-1.040	Board of Private Investigator Examiners		34 MoReg 1600	34 MoReg 2606	
20 CSR 2234-1.050	Board of Private Investigator Examiners		34 MoReg 1603	34 MoReg 2606	
20 CSR 2234-2.010	Board of Private Investigator Examiners		34 MoReg 1603	34 MoReg 2607	
20 CSR 2234-2.020	Board of Private Investigator Examiners		34 MoReg 1609	34 MoReg 2608	
20 CSR 2234-2.030	Board of Private Investigator Examiners		34 MoReg 1613	34 MoReg 2608	
20 CSR 2234-2.040	Board of Private Investigator Examiners		34 MoReg 1617	34 MoReg 2608	
20 CSR 2234-3.010	Board of Private Investigator Examiners		34 MoReg 1621	34 MoReg 2608	
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20 CSR 2234-3.030	Board of Private Investigator Examiners		34 MoReg 1630	34 MoReg 2610	
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20 CSR 2267-2.020	Office of Tattooing, Body Piercing, and Branding	34 MoReg 1174			
20 CSR 2267-6.030	Office of Tattooing, Body Piercing, and Branding		34 MoReg 1937R	34 MoReg 2614R	
20 CSR 2270-4.042	Missouri Veterinary Medical Board		34 MoReg 1937	34 MoReg 2614	

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<b>Department of Agriculture</b>			
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<b>2 CSR 100-6.010</b>	Description of Operation, Definitions, Fee Structures, Applicant Requirements, and Procedures for Making and Collecting Loans and Amending the Rules for the Single-Purpose Animal Facilities Loan Guarantee Program . . . .	.34 MoReg 2527 . . . .Nov. 2, 2009 . . . .	April 30, 2010
<b>Department of Economic Development</b>			
<b>Division of Business and Community Services</b>			
<b>4 CSR 85-6.010</b>	Recovery Zone Bond Allocation, Waiver, and Reallocation .34 MoReg 2353 . . . .	Sept. 28, 2009 . . . .	March 26, 2010
<b>Department of Higher Education</b>			
<b>University of Missouri</b>			
<b>6 CSR 250-11.041</b>	Inspection Fee on Manipulated Animal or Vegetable Manure Fertilizers . . . . .	Next Issue . . . . .	Jan. 1, 2010 . . . . June 28, 2010
<b>Department of Natural Resources</b>			
<b>Clean Water Commission</b>			
<b>10 CSR 20-4.040</b>	State Revolving Fund General Assistance Regulation . . . .	.34 MoReg 1326 . . . .May 22, 2009 . . . .	Feb. 25, 2010
<b>Hazardous Waste Management Commission</b>			
<b>10 CSR 25-19.010</b>	Electronics Scrap Management . . . . .	.34 MoReg 1535 . . . .	July 1, 2009 . . . . Feb. 25, 2010
<b>Safe Drinking Water Commission</b>			
<b>10 CSR 60-13.020</b>	Drinking Water Revolving Fund Loan Program . . . . .	.34 MoReg 1393 . . . .May 30, 2009 . . . .	Feb. 25, 2010
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<b>10 CSR 70-5.010</b>	Apportionment of Funds . . . . .	.34 MoReg 1779 . . . .Aug. 8, 2009 . . . .	Feb. 25, 2010
<b>10 CSR 70-5.020</b>	Application and Eligibility for Funds . . . . .	.34 MoReg 1780 . . . .Aug. 8, 2009 . . . .	Feb. 25, 2010
<b>10 CSR 70-5.030</b>	Design, Layout and Construction of Proposed Practices; Operation and Maintenance . . . . .	.34 MoReg 1782 . . . .Aug. 8, 2009 . . . .	Feb. 25, 2010
<b>10 CSR 70-5.040</b>	Rates and Reimbursement Procedures . . . . .	.34 MoReg 1783 . . . .Aug. 8, 2009 . . . .	Feb. 25, 2010
<b>10 CSR 70-5.050</b>	District Administration of the Program . . . . .	.34 MoReg 1785 . . . .Aug. 8, 2009 . . . .	Feb. 25, 2010
<b>10 CSR 70-5.060</b>	Commission Administration of the Program . . . . .	.34 MoReg 1786 . . . .Aug. 8, 2009 . . . .	Feb. 25, 2010
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<b>Missouri Gaming Commission</b>			
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<b>11 CSR 45-11.050</b>	Admission Fee . . . . .	This Issue . . . . .	Jan. 6, 2010 . . . . July 4, 2010
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<b>Department of Social Services</b>			
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<b>13 CSR 70-10.016</b>	Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates . . . . .	.34 MoReg 2583 . . . .Nov. 19, 2009 . . . .	Jan. 30, 2010
<b>13 CSR 70-10.110</b>	Nursing Facility Reimbursement Allowance . . . . .	.35 MoReg 5 . . . .	Jan. 1, 2010 . . . . June 29, 2010
<b>13 CSR 70-15.010</b>	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology. Next Issue . . . . .	Next Issue . . . . .	Jan. 1, 2010 . . . . June 29, 2010
<b>13 CSR 70-15.110</b>	Federal Reimbursement Allowance (FRA) . . . . .	.35 MoReg 5 . . . .	Jan. 1, 2010 . . . . June 29, 2010
<b>13 CSR 70-20.320</b>	Pharmacy Reimbursement Allowance . . . . .	.35 MoReg 6 . . . .	Jan. 1, 2010 . . . . June 29, 2010
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<b>15 CSR 50-2.050</b>	Interest Rate on Linked Deposit Loans . . . . .	.34 MoReg 2528 . . . .	Nov. 7, 2009 . . . . May 5, 2010

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<b>Department of Insurance, Financial Institutions and Professional Registration</b>			
<b>Life, Annuities and Health</b>			
20 CSR 400-3.650 Medicare Supplement Insurance Minimum Standards Act	.34 MoReg 1539	July. 1, 2009	Feb. 25, 2010
<b>Acupuncturist Advisory Committee</b>			
20 CSR 2015-1.030 Fees	.34 MoReg 1173	April 19, 2009	Jan. 27, 2010
<b>Board of Cosmetology and Barber Examiners</b>			
20 CSR 2085-3.010 Fees	.34 MoReg 1459	June 18, 2009	Feb. 25, 2010
<b>State Board of Embalmers and Funeral Directors</b>			
20 CSR 2120-2.100 Fees	.34 MoReg 2357	Oct. 4, 2009	April 1, 2010
20 CSR 2120-2.130 Final Disposition as Defined in Chapter 193	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-2.140 Financial Welfare Cause for Injunction	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-2.150 Payment Not Determining Factor of Practice of Funeral Directing	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.100 Notice of Intent to Apply	.34 MoReg 2463	Nov. 2, 2009	March 5, 2010
20 CSR 2120-3.105 Filing of Annual Reports	.34 MoReg 2357	Oct. 4, 2009	April 1, 2010
20 CSR 2120-3.115 Contact Information	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.120 Display of License	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.125 Corporate Ownership of a Licensee	.34 MoReg 2358	Oct. 4, 2009	April 1, 2010
20 CSR 2120-3.200 Seller Obligations	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.300 Provider Includes Funeral Establishment	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.305 Funeral Director Agent Registration	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.310 Change in Seller Affiliation	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.400 Preneed Agents—Requirements of Agent's Seller	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.405 Preneed Agents—Missouri Law Exam	.34 MoReg 2464	Nov. 2, 2009	April 1, 2010
20 CSR 2120-3.410 Preneed Agent's Seller Must be Licensed	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.505 Types of Financing; Other Financing Still Preneed	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.515 Single Premium Annuity Contracts	This Issue	Dec. 4, 2009	June 11, 2010
20 CSR 2120-3.525 Independent Financial Advisor is Agent of Trustee	This Issue	Dec. 4, 2009	June 11, 2010
<b>State Board of Registration for the Healing Arts</b>			
20 CSR 2150-5.025 Administration of Vaccines Per Protocol	.34 MoReg 2529	Nov. 1, 2009	April 29, 2010
<b>Missouri Board of Occupational Therapy</b>			
20 CSR 2205-1.050 Fees	.34 MoReg 1173	April 17, 2009	Jan. 27, 2010
<b>State Board of Pharmacy</b>			
20 CSR 2220-6.050 Administration of Vaccines Per Protocol	.34 MoReg 2531	Nov. 1, 2009	April 29, 2010
20 CSR 2220-6.055 Non-Dispensing Activities	.34 MoReg 2534	Nov. 2, 2009	April 30, 2010
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20 CSR 2267-2.020 Fees	.34 MoReg 1174	April 17, 2009	Jan. 27, 2010
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20 CSR 2270-1.021 Fees	.34 MoReg 823	April 2, 2009	Jan. 12, 2010
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<b>Health Care Plan</b>			
22 CSR 10-2.010 Definitions	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.020 Subscriber Agreement and General Membership Provisions	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.045 Plan Utilization Review Policy	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.050 CoPay Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.051 PPO 300 Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.053 High Deductible Health Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.054 Medicare Supplement Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.060 PPO 300 Plan, HDHP, Copay, and HMO Plan Limitations	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.064 HMO Summary of Medical Benefits	Next Issue	Jan. 1, 2010	June 29, 2010
22 CSR 10-2.067 HMO and POS Limitations	Next Issue	Jan. 1, 2010	June 29, 2010
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22 CSR 10-3.020 Subscriber Agreement and General Membership Provisions	Next Issue	Jan. 1, 2010	June 29, 2010
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<b>22 CSR 10-3.051</b>	PPO 300 Plan Benefit Provisions and Covered Charges . . .Next Issue . . . . .	Jan. 1, 2010 . . . . .	June 29, 2010
<b>22 CSR 10-3.052</b>	PPO 500 Plan Benefit Provisions and Covered Charges . . .Next Issue . . . . .	Jan. 1, 2010 . . . . .	June 29, 2010
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<b>22 CSR 10-3.054</b>	PPO 2000 Plan Benefit Provisions and Covered Charges . . .Next Issue . . . . .	Jan. 1, 2010 . . . . .	June 29, 2010
<b>22 CSR 10-3.055</b>	High Deductible Health Plan Benefit Provisions and Covered Charges . . . . .	Next Issue . . . . .	Jan. 1, 2010 . . . . .
<b>22 CSR 10-3.060</b>	PPO 300 Plan, PPO 500 Plan, PPO 1000 Plan, PPO 2000 Plan, HDHP, and Copay Plan Limitations . . . . .	Next Issue . . . . .	Jan. 1, 2010 . . . . .
<b>22 CSR 10-3.090</b>	Pharmacy Benefit Summary . . . . .	Next Issue . . . . .	Jan. 1, 2010 . . . . .

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	<b>2009</b>		
<b>09-29</b>	Outlines the suspension of federal commercial motor vehicle and driver laws during emergency declarations. Executive Orders 07-01 and 08-40 are superceded and replaced on February 1, 2010	December 31, 2009	Next Issue
<b>09-28</b>	Establishes the post of Missouri Poet Laureate. Executive order 08-01 is superceded and replaced	December 24, 2009	Next Issue
<b>09-27</b>	Creates the Missouri Office of Health Information Technology, referred to as MO-HITECH. Executive Order 06-03 is rescinded	November 4, 2009	34 MoReg 2587
<b>09-26</b>	Advises that state offices will be closed November 27, 2009	October 30, 2009	34 MoReg 2466
<b>09-25</b>	Creates the governor's faith-based and community service partnership for disaster recovery	September 21, 2009	34 MoReg 2361
<b>09-24</b>	Creates the prompt pay for a healthy Missouri project	September 11, 2009	34 MoReg 2313
<b>09-23</b>	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	September 1, 2009	34 MoReg 2139
<b>09-22</b>	Appoints the Home Building and Residential Energy Efficiency Advisory panel to issue recommendations on energy efficiency measures for the home building sector and consumers	August 20, 2009	34 MoReg 2137
<b>09-21</b>	Declares a state of emergency exists in the state of Missouri and directs that Missouri State Emergency Operations Plan remain activated	May 14, 2009	34 MoReg 1332
<b>09-20</b>	Gives the director of the Missouri Department of Natural Resources full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the interests of the public health and safety during the period of the emergency and the subsequent recovery period	May 12, 2009	34 MoReg 1331
<b>09-19</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	May 8, 2009	34 MoReg 1329
<b>09-18</b>	Orders that all state agencies whose building management falls under the direction of the Office of Administration shall institute policies that will result in reductions of energy consumption of two percent per year for each of the next ten years	April 23, 2009	34 MoReg 1273
<b>09-17</b>	Creates the Transform Missouri Project as well as the Taxpayer Accountability, Compliance, and Transparency Unit, and rescinds Executive Order 09-12	March 31, 2009	34 MoReg 828
<b>09-16</b>	Directs the Department of Corrections to lead a permanent, interagency steering team for the Missouri Reentry Process	March 26, 2009	34 MoReg 826
<b>09-15</b>	Expands the Missouri Automotive Jobs Task Force to consist of 18 members	March 24, 2009	34 MoReg 824
<b>09-14</b>	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	March 5, 2009	34 MoReg 761
<b>09-13</b>	Extends Executive Order 09-04 and Executive Order 09-07 through March 31, 2009	February 25, 2009	34 MoReg 657
<b>09-12</b>	Creates and establishes the Transform Missouri Initiative	February 20, 2009	34 MoReg 655
<b>09-11</b>	Orders the Department of Health and Senior Services and the Department of Social Services to transfer the Blindness Education, Screening and Treatment Program (BEST) to the Department of Social Services	February 4, 2009	34 MoReg 590
<b>09-10</b>	Orders the Department of Elementary and Secondary Education and the Department of Economic Development to transfer the Missouri Customized Training Program to the Department of Economic Development	February 4, 2009	34 MoReg 588
<b>09-09</b>	Transfers the various scholarship programs under the Departments of Agriculture, Elementary and Secondary Education, Higher Education, and Natural Resources to the Department of Higher Education	February 4, 2009	34 MoReg 585
<b>09-08</b>	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	February 2, 2009	34 MoReg 366
<b>09-07</b>	Gives the director of the Missouri Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on January 26	January 30, 2009	34 MoReg 364
<b>09-06</b>	Activates the state militia in response to the aftermath of severe storms that began on January 26	January 28, 2009	34 MoReg 362
<b>09-05</b>	Establishes a Complete Count Committee for the 2010 Census	January 27, 2009	34 MoReg 359
<b>09-04</b>	Declares a state of emergency and activates the Missouri State Emergency Operations Plan	January 26, 2009	34 MoReg 357

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<b>09-03</b>	Directs the Missouri Department of Economic Development, working with the Missouri Development Finance Board, to create a pool of funds designated for low-interest and no-interest direct loans for small business	January 13, 2009	34 MoReg 281
<b>09-02</b>	Creates the Economic Stimulus Coordination Council	January 13, 2009	34 MoReg 279
<b>09-01</b>	Creates the Missouri Automotive Jobs Task Force	January 13, 2009	34 MoReg 277

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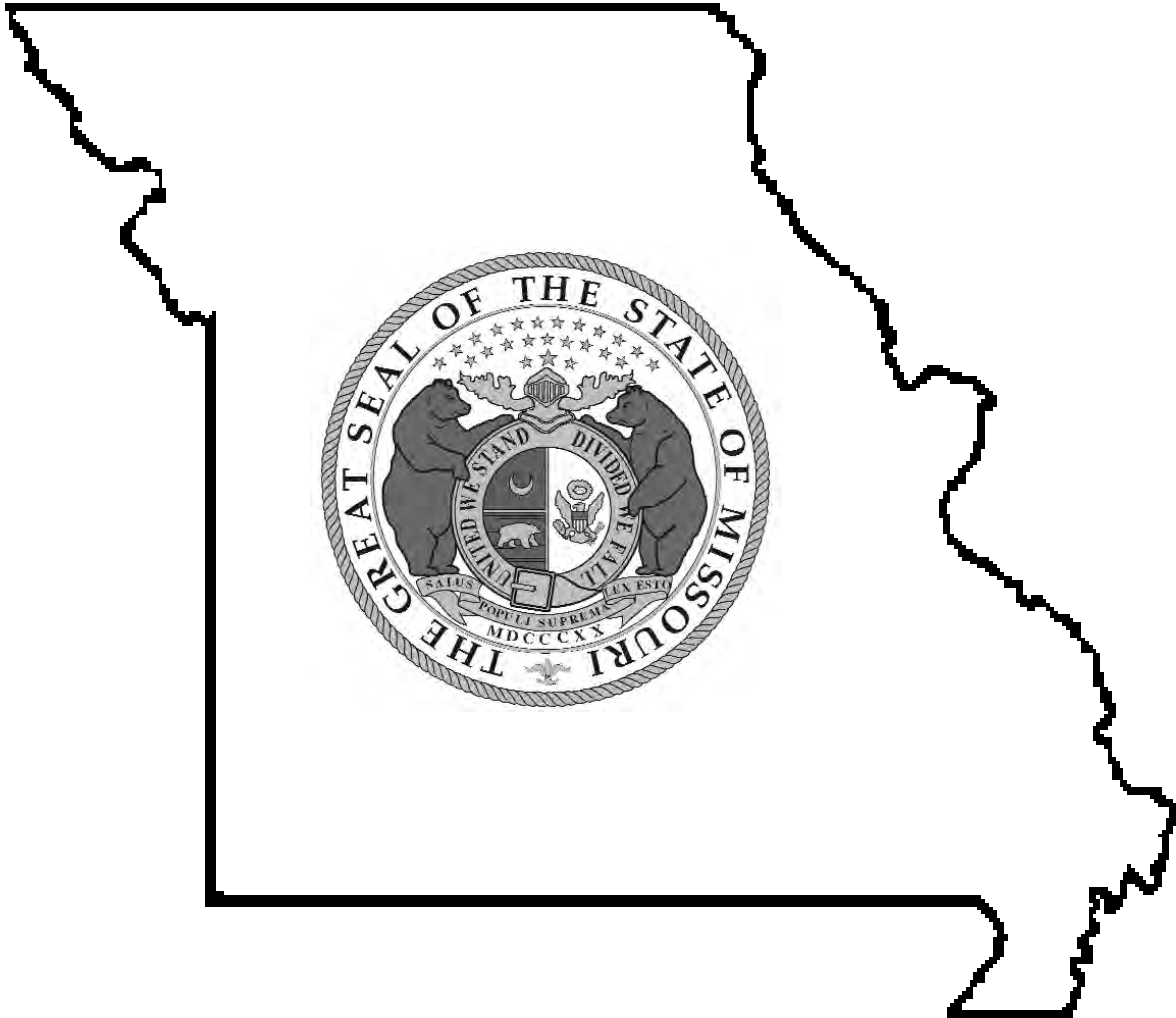
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